

DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

Bolitha J. Laws to be an associate justice of the District Court of the United States for the District of Columbia.

UNITED STATES ATTORNEY

Douglas W. McGregor to be United States attorney for the southern district of Texas.

UNITED STATES PUBLIC HEALTH SERVICE

Marion B. Noyes to be passed assistant surgeon, United States Public Health Service, to rank as such from July 1, 1938.

POSTMASTERS

FLORIDA

Sidney E. Livingston, Homestead.

IOWA

Anthony F. Schrup, Dubuque.

Harold G. Everett, Nodaway.

MONTANA

Walter J. McManus, Augusta.

Ludwig S. Rigler, East Helena.

George Clarence Moore, Harlowton.

Margaret M. Colligan, Walkerville.

NORTH CAROLINA

French W. Graham, Elkin.

NEW JERSEY

John F. Sinnott, Jr., Newark.

William T. Johnson, Point Pleasant.

Thomas Whittington, Sea Isle City.

Edward J. Lennon, Stone Harbor.

NEW YORK

John H. Moore, North Cohocton.

Nellie A. King, Verplanck.

PENNSYLVANIA

Arthur B. Clark, Altoona.

William J. Cannon, Lansford.

HOUSE OF REPRESENTATIVES

THURSDAY, JUNE 16, 1938

(Legislative day of Tuesday, June 14, 1938)

The recess having expired, the House was called to order by the Speaker at 10 o'clock a. m.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed without amendment bills, joint resolutions, and a concurrent resolution of the House of the following titles:

H. R. 9888. An act for the relief of William Henry Johnston, Jr., a minor;

H. R. 10127. An act to regulate interstate commerce by establishing an unemployment insurance system for individuals employed by certain employers engaged in interstate commerce, and for other purposes;

H. R. 10846. An act to create the office of the Librarian Emeritus of the Library of Congress;

H. J. Res. 711. Joint resolution providing for the filling of a vacancy in the Board of Regents of the Smithsonian Institution of the class other than Members of Congress;

H. J. Res. 712. Joint resolution providing for the filling of a vacancy in the Board of Regents of the Smithsonian Institution of the class other than Members of Congress; and

H. Con. Res. 65. Concurrent resolution providing for the printing and binding of the prayers offered by the Rev. James Shera Montgomery, Chaplain of the House of Representatives, during the opening of the daily sessions of the Seventy-fourth and Seventy-fifth Congresses.

The message also announced that the Senate agrees to the report of the committee of conference on the disagree-

ing votes of the two Houses on the amendments of the Senate to the bill (H. R. 2716) entitled "An act to provide for the local delivery rate on certain first-class mail matter."

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 2505. An act for the relief of James J. Hogan; and

S. 4036. An act relating to the tribal and individual affairs of the Osage Indians of Oklahoma.

The message also announced that the Senate had passed, with amendments, in which a concurrence of the House is requested, a bill of the House of the following title:

H. R. 10851. An act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1938, and for prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1938, and June 30, 1939, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House thereon, and appoints Mr. ADAMS, Mr. GLASS, Mr. McKELLAR, Mr. BYRNES, Mr. HALE, and Mr. TOWNSEND to be the conferees on the part of the Senate.

The message also announced that the Senate had adopted the following order:

Ordered, That the Secretary be directed to return to the House of Representatives the bill (H. R. 146) to require contractors on public-building projects to name their subcontractors, materialmen, and supply men, and for other purposes.

The message also announced that the Senate had passed, with an amendment, in which the concurrence of the House is requested, a joint resolution of the House of the following title:

H. J. Res. 702. Joint resolution to provide that the United States extend to foreign governments invitations to participate in the Third International Congress for Microbiology to be held in the United States during the calendar year 1939, and to authorize an appropriation to assist in meeting the expenses of the session.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H. J. Res. 679) entitled "An act making appropriations for work relief, relief, and otherwise to increase employment by providing loans and grants for public-works projects."

The message also announced that the Senate agrees to the amendment of the House to the amendment of the Senate No. 72 to the foregoing joint resolution, with an amendment.

The message also announced that the Senate having proceeded, in pursuance of the Constitution, to reconsider the bill (H. R. 10530) entitled "An act to extend for 2 additional years the 3½-percent interest rate on certain Federal land-bank loans, and to provide for a 4-percent interest rate on land bank commissioner's loans until July 1, 1940," returned by the President of the United States to the House of Representatives, in which it originated, with his objections, and sent by the House of Representatives to the Senate with the message of the President returning same, it is

Resolved, That the bill do pass, two-thirds of the Senators present having voted in the affirmative.

SECOND DEFICIENCY BILL

Mr. WOODRUM. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 10851) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1938, and for prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1938, and June 30, 1939, and for other purposes, with Senate amendments, disagree to the Senate amendments and agree to the conference asked by the Senate; and I also ask unanimous consent, Mr. Speaker, that the conferees may have permission to agree to Senate amendments notwithstanding clause 2 of rule XX.

The SPEAKER. Is there objection to the request of the gentleman from Virginia? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. WOODRUM, BOYLAN of New York, CANNON of Missouri, LUDLOW, SNYDER of Pennsylvania, TABER, BACON, and WIGGLESWORTH.

EXTENSION OF REMARKS

Mr. MAVERICK. Mr. Speaker, I ask unanimous consent to insert in the RECORD a speech Mr. Harry Hopkins made in South Carolina. I am obtaining an estimate from the Printing Office which I think will not exceed the usual or proper amount although it may. But inasmuch as this is the last day of the Congress I am mentioning this so there may be no trouble about printing it.

Mr. RICH. Mr. Speaker, reserving the right to object, did Mr. Hopkins make any reference in that speech to the effect that he would use money that comes to him for relief of the suffering or for the general benefit of the country in politics?

Mr. MAVERICK. No; but he did talk about things down in South Carolina to the effect that Mr. MAVERICK, of Texas, your good friend, came from a good old South Carolina family and also mentioned my book in it. However, outside that he made a good speech. I suggest the gentleman read it.

Mr. RICH. We know you are a good fellow, we all admit that, but what we want to know is whether Harry Hopkins said anything about politics in his speech?

Mr. MAVERICK. As a matter of fact, there is no politics in this—it is all economics.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There as no objection.

J. WALTER LAMBETH

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, in these days when Congress is spending enormous sums of money and there has been such an orgy of spending, I think great credit is due the gentleman from North Carolina [Mr. LAMBETH], chairman of the Committee on Printing, for the consolidation he made of certain governmental printing activities, thereby making a great saving. He had the very able support of the gentleman from Pennsylvania [Mr. RICH] as well as the other members of his committee. [Applause.]

I have had the pleasure of serving on the Committee on Foreign Affairs with Mr. LAMBETH and know his outstanding work there. In fact, Mr. LAMBETH is such an able statesman and a gentleman in every sense of the word; I know all the Members of the House will be very sorry to lose him. It seems especially hard to lose a Member who has been able to save money for the Government in these days. Mr. LAMBETH has been able not only to save money but it is estimated that his plan will increase the sale of Government publications to \$3,000,000 in 3 years.

Mr. MAVERICK. Did the gentleman from Massachusetts say we are going to lose Mr. RICH?

Mrs. ROGERS of Massachusetts. No; Mr. LAMBETH. I am glad we are not going to lose the gentleman from Pennsylvania [Mr. RICH]. We all know his efforts to save the taxpayers money. [Applause.]

The following is the article which appeared on the front page of the Washington Star last Sunday, June 12, 1938:

[From the Washington Star of June 12, 1938]

BIG SAVING SEEN AS PRINTING WORK OF GOVERNMENT IS POOLED—REORGANIZATION EFFECTED ON INITIATIVE OF REPRESENTATIVE LAMBETH—SALE OF PUBLICATIONS EXPECTED TO SOAR

(By Will P. Kennedy)

Pooling of public printing and processing in the numerous Government branches, a step expected to result in a saving of hundreds

of thousands of dollars, has been effected, it was learned yesterday. The new set-up also is viewed as a means of increasing the sale of Government publications to \$3,000,000 within 3 years.

A recent study, the outgrowth of much controversy and complaint about wholesale processing in Government agencies, showed there is \$1,040,114 worth of equipment for such work, with the annual cost of labor estimated at \$800,000. Hereafter the work will be zoned, consolidated, and pooled under competent technical management.

This work of reorganization resulted from the initiative of Representative LAMBETH, of North Carolina, chairman of the Joint Committee on Printing. As a result of his efforts and the cooperation of the Budget Bureau and heads of Departments a special committee was organized to study the problem. That committee was composed of Ansel Wold, executive clerk to the Joint Committee on Printing; Russell H. Herrell, Government Printing Office; Alton P. Tisdell, Superintendent of Documents, Government Printing Office; J. T. Burns, General Accounting Office; V. L. Almond, Bureau of the Budget; M. S. Eisenhower, Department of Agriculture; W. D. Boutwell, Department of the Interior; L. C. Spangler, Treasury Department; Thomas F. McKeon, Department of Commerce; and Sidney Morgan, United States Tariff Commission.

VOLUME ENORMOUS

The scope and volume of the Government printing and processing is enormous, the committee discloses. Government activities and personnel have multiplied. The Government must report to the citizens on new as well as on old established work. There has been a staggering increase in report forms, copies of contracts and agreements, and thousands of necessary daily items. New agencies especially must make known directly to individuals, comprising a large percentage of the population, facts about benefits, requirements of law and regulations. For example, the recently established Social Security Board deals directly with more than 30,000,000 employees and employers under the old-age benefits.

It has been charged (a) that matter which obviously should have been printed has been processed with needlessly elaborate illustrations and costly make-up and binding; (b) that neither printed nor processed publications have been confined to those required in carrying out functions authorized by law; (c) that the distribution of such publications has been uncontrolled and therefore wasteful; and (d) that the very large increase in the volume of franked and penalty mail has contributed substantially to the increase in the operating deficit of the Post Office Department. Complaints were found to be general that much Government printed and processed matter is reaching individuals who have not requested it and have no use for it.

An essential feature of the "reorganization" was to make a definition of "printing" which would decide whether work should be done at the Government Printing Office or might be processed by mimeograph, multigraph, multilithograph, or otherwise duplicated by the various units of the Government. This definition was approved by the Comptroller General on June 1, and the economy-efficiency recommendations of the interdepartmental survey board are now being put into active force.

MEASURE IS DRAFTED

A bill has been drafted which Chairman LAMBETH will introduce in the next session, to be made applicable to all Government agencies, including emergency agencies and Government corporations, to meet the criticism that processing is being used to supplant printing and that propaganda is being distributed. The fact that organic acts establishing certain agencies and corporations and the emergency appropriation acts permit, in addition to other exemptions, the unrestricted use of funds for printing and processing without regard to existing law has intensified such criticism.

The new system provides that in addition to the specific controls for printing and binding now vested in the Joint Committee on Printing and in the Bureau of the Budget, the Budget Bureau shall coordinate printing and processing generally in the executive branch of the Government by establishing uniform policies and procedures consistent with law for the efficient and economical utilization of printing and processing. It is also directed that a permanent interdepartmental committee on printing and processing be set up to advise and to act with the Budget Bureau in these matters. This committee will be composed of departmental employees and a representative of the Government Printing Office.

TO HAVE BROAD AUTHORITY

Each department is to maintain a centralized service to act as a contact between the bureaus, offices, and services of the department and the Government Printing Office, the Bureau of the Budget, and the Joint Committee on Printing of Congress. This service is to have broad authority:

1. Review manuscripts proposed for publication in order to determine (a) whether under existing law and regulations they must be printed or may be processed; (b) if processing is legally permissible, whether in view of the number of copies required or for other reasons printing would be more economical and efficient; and (c) whether each manuscript warrants the cost of printing or processing.

2. To determine the frequency of issue of periodicals, especially to reduce the frequency of issue to the minimum required in meeting the constructive purposes of such periodicals.

3. Eliminate from all manuscripts submitted matter not necessary in carrying out authorized functions.

4. Restrict the number of copies of publications printed or processed to the minimum necessary in carrying out authorized functions.

5. Determine questions of distribution and especially to cooperate with the Superintendent of Documents in promoting the sale of publications.

INCREASED SALE FORECAST

(6) Employ at least one person trained and experienced in printing and processing techniques to deal with printing and processing problems and to act as technical adviser.

As one feature of the sales promotion drive it is proposed to place on sale at all post offices post cards addressed to the Superintendent of Documents. On the reverse side is an order blank for certain documents. These cards would be of various colors for the varying prices of the documents to be ordered. These cards would be sold for the price of the desired document. All a person would have to do is affix a 1-cent stamp and in due time receive the document. This would be a great convenience for the public. It is estimated that this would soon increase the sale of documents several millions of dollars annually.

Mr. RICH. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RICH. Mr. Speaker, may I say in reference to our colleague from North Carolina, who of his own choice is not coming back to us, J. WALTER LAMBETH, chairman of our Joint Printing Committee, that of all the men I have known in my life, J. WALTER LAMBETH is one of the finest, cleanest-cut, a hard worker, attentive, and the most conscientious I have ever known. [Applause.] He has worked diligently to try to run the office for which he was selected in the very best and most efficient manner. He has been interested in doing everything he could to see that business principles were applied, and I may say here that he will be missed from that office. He has been a most valuable Member of Congress. He is the first Member of the House ever to be elected as chairman of the Joint Committee on Printing.

I hope during his journey through life that all the things that are good will come to him, because he is a man who deserves them; and as a final word, I do not know of a man I have ever enjoyed associating with more than I have with J. WALTER LAMBETH. [Applause.]

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. RICH. I yield.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to insert in the RECORD an editorial about Mr. LAMBETH and the Committee on Printing.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McREYNOLDS. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. McREYNOLDS. Mr. Speaker, there are not many men who leave the House of their own volition, but we are having some at this time, and I especially want to speak of Mr. J. WALTER LAMBETH, who is a member of the Foreign Affairs Committee, of which I am chairman.

I have had every occasion to know and appreciate his work. When he leaves Congress he will not only be a great loss to his own district and State, but to the Nation, and a great personal loss to me as chairman of that committee. He has always been on hand. He has worked hard and his advice has been of great service. He is a man of standing, he is a man of parts, and the character of man we need in the service of the Government. I hope at some future time he may agree to permit his services to be used in governmental affairs. [Applause.]

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. RAYBURN. Mr. Speaker, I do not often indulge in fulsome compliments or rise on occasions like this, but when a man like J. WALTER LAMBETH is being talked about and being eulogized, I feel I would be derelict to my sentiments and to my loyalty if I did not say a word.

I regret deeply that J. WALTER LAMBETH is quitting the public service in the House of Representatives. He has been one of the most valuable men I have known to serve in the House of Representatives. He is gentle, he is fine, he is intelligent, and we may well say about him, as has been said truly about few men, that when he was made they put into him about all that could be put into a gentleman. [Applause.]

LENDING TENTS, ETC., TO AMERICAN LEGION

Mr. LORD. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 10935) to authorize the Secretary of War to lend War Department equipment for use at the convention of the American Legion of New York during the month of August 1938.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of War is authorized to lend, at his direction, to the American Legion of New York, for use at the convention of the American Legion of New York to be held at Johnson City, N. Y., in the month of August 1938, such tents, cots, blankets, and other available stock out of the Army and National Guard supplies as such organization may require to house properly Legionnaires attending such convention: *Provided,* That no expense shall be caused the United States Government by the delivery and return of such property, the same to be delivered at such time prior to the holding of such convention as may be agreed upon by the Secretary of War and the American Legion of New York: *Provided further,* That the Secretary of War, before delivering such property, shall take from such organization a good and sufficient bond for the safe return of such property in good order and condition, and the whole without expense to the United States.

The SPEAKER. Is there objection?

There was no objection.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

REPRESENTATIVES LUCAS, O'BRIEN OF ILLINOIS, CHAMPION, AND LONG

Mr. SABATH. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. SABATH. Mr. Speaker, I regret that the House will lose the Members heretofore referred to by others today and yesterday. Unfortunately, the State of Illinois and the House will lose service of four outstanding Members from my State. Mr. SCOTT LUCAS, though he has been a Member for only 4 years, he has demonstrated he is a gentleman of real ability and attainments. He has been nominated for the Senate from that State, and I am confident the people will recognize his service to them and will make him their next Senator. Mr. O'BRIEN has been nominated for the high office of sheriff of Cook County, and undoubtedly in the near future will enforce the laws in that county. Mr. CHAMPION, who is Member at Large, will not come back to us because of his important affairs and businesses at home. While he has appreciated and enjoyed his services here, he felt obliged to refuse renomination, and consequently will be no longer with us.

The other Member from Illinois is Mr. LONG, and he was one of the outstanding Members from our State also as Member at Large. Neither will he be with us in the next Congress, I regret to say. I regret that the House, the country, and the State of Illinois will lose because these gentlemen will not be with us henceforth. I wish them all well.

I know the House will miss them, and I feel the House regrets their going exceedingly because it will be denied their

splendid fellowship, companionship, and cooperation, and I am sure I express the sentiments of all here when I say we wish you well and look forth to Mr. LUCAS and Mr. O'BRIEN attaining still greater honors in their new official positions, and Mr. CHAMPION and Mr. LONG great success in their private pursuits. [Applause.]

ARTHUR ALEXANDER POST, AMERICAN LEGION, BELZONI, MISS.

Mr. WHITTINGTON. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 10873) to authorize the conveyance to the Arthur Alexander Post, No. 68, the American Legion, of Belzoni, Miss., of the improvements and sites containing 18 acres of land, more or less, at lock and dam No. 1, on the Sunflower River, Miss., which I send to the desk.

The SPEAKER. Is there objection?

Mr. RICH. Mr. Speaker, I reserve the right to object. Will the gentleman please explain what the bill is?

Mr. WHITTINGTON. There is a favorable report upon this from the War Department. I have talked to the chairman and ranking member of the committee on both sides of the House.

Mr. RICH. The War Department is willing to have this done?

Mr. WHITTINGTON. Yes, and I shall insert the report in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of war is authorized and directed to convey by quitclaim deed to the Arthur Alexander Post, No. 68, the American Legion, of Belzoni, Miss., for the sum of \$2,050, 18 acres of land, more or less, consisting of two parcels—one a tract of 16.53 acres on the west bank and the other a tract of 1.83 acres on the east bank of the Sunflower River, Miss., and the improvements thereon consisting of one dwelling, three cottages, a shop, a boiler house, an oil house, a garage, a coal house, a telephone line, and a water tank, at Lock and Dam No. 1, on the Sunflower River in Mississippi, for use by such post for the purposes of the organization, with discretion in the organization to grant the use thereof to Rotary clubs, Boy Scouts, Girl Scouts, women's clubs, or any other civic or community organization, subject to the perpetual right of the United States of America to flood such part of such land as may be necessary from time to time in the interest of flood control or navigation.

Sec. 2. The deed of conveyance shall contain the following conditions:

That in the event the grantee shall cease to use the property for the purposes of the organization and as herein provided, or shall alienate or attempt to alienate such property, title thereto shall revert to the United States.

That the grantee shall bear all expenses (other than the preparation of the deed of conveyance) necessary to accomplish the conveyance.

Mr. WHITTINGTON. Mr. Speaker, I offer the following amendment which I send to the desk.

The Clerk read as follows:

Strike out all after the enacting clause and insert:

"That the Secretary of War is authorized and directed to convey by quitclaim deed to the Arthur Alexander Post No. 68, the American Legion, of Belzoni, Miss., for the sum of \$2,050, a tract of land, together with the improvements thereon, including one dwelling, three cottages, a shop, a boiler house, an oil house, a garage, a coal house, a telephone line, and a water tank, situated on the west bank of the Big Sunflower River, at lock and dam No. 1, in Washington County, Miss., being a part of lot 6 of section 2, township 15 north, range 5 west, and more specifically described as follows:

"Beginning at a point on the west bank of the Big Sunflower River, which point is west 2,931.4 feet, and south 4,584 feet from the northeast corner of section 2, township 15 north, range 5 west; thence north 82°48'30" west, 600 feet, to the southwest corner of the tract marked by a piece of square iron set in concrete; thence north 6°20' east, 1,200 feet to the northwest corner of the tract, marked by a piece of square iron set in concrete; thence south 82°48'30" east to the Big Sunflower River; thence along the Big Sunflower River following its meanderings about 1,200 feet to the intersection of the river and a line which bears south 82°48'30", east from the beginning point; thence north 82°48'30", west to the beginning point (all bearings being true bearings), containing 16.53 acres, more or less;

and a tract of land situated on the east bank at the locality, being a part of lot 7, section 2, range 5 west, township 15 north, and more specifically described as follows:

"Beginning at the northeast corner of section 2, township and range as above, thence west 2,350.1 feet; south 3,851 feet, to the northwest corner of tract acquired, thence south 82°48'30" east, 100 feet to northeast corner of tract, thence south 5°11'30" west, 800.5 feet to the southeast corner of tract, thence north 82°48'30" west, 100 feet to the southwest corner of tract, thence along left bank of Big Sunflower River, north 5°17' east, 300.2 feet; north 5°07' east, 500.3 feet to the northwest corner of tract, containing 1.83 acres, more or less;

for use by such post for the purposes of the organization, with discretion in the organization to grant the use thereof to Rotary clubs, Boy Scouts, Girl Scouts, women's clubs, or any other civic or community organization, subject to the perpetual right of the United States of America to flood such part of such land as may be necessary from time to time in the interest of flood control or navigation.

"Sec. 2. The deed of conveyance shall contain the following conditions:

"That in the event the grantee shall cease to use the property for the purposes of the organization and as herein provided, or shall alienate or attempt to alienate such property, title thereto shall revert to the United States.

"That the grantee shall bear all expenses (other than the preparation of the deed of conveyance) necessary to accomplish the conveyance."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to, and the bill as amended was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider laid on the table.

Mr. WHITTINGTON. Mr. Speaker, at this point in the RECORD I ask unanimous consent to insert the report from the Secretary of War.

The SPEAKER. Is there objection?

There was no objection.

The report is as follows:

WAR DEPARTMENT,
Washington, June 14, 1938.

Hon. ANDREW J. MAY,

Chairman, Committee on Military Affairs,

House of Representatives, Washington, D. C.

DEAR MR. MAY: The Department refers to H. R. 10873, Seventy-fifth Congress, third session, entitled "A bill to authorize the conveyance to the Arthur Alexander Post, No. 68, the American Legion, of Belzoni, Miss., of the improvements and site containing 18 acres of land, more or less, at lock and dam No. 1 on the Sunflower River, Miss."

The bill authorizes and directs the Secretary of War to convey, by quitclaim deed, to the Arthur Alexander Post, No. 68, the American Legion, of Belzoni, Miss., for the sum of \$2,050, a parcel of land together with the improvements thereon situated on the west bank of the Big Sunflower River, Miss., containing 16.53 acres of land, and a parcel of land on the east bank at the locality containing 1.83 acres of land. The bill reserves to the United States the perpetual right to flood such part of the lands as may be necessary in the interest of flood control and navigation, and provides that in the event the property shall cease to be used for the purposes of the organization or of Rotary clubs, Boy Scouts, Girl Scouts, women's clubs, or other civic or community organizations, title shall revert to the United States, and that the grantee shall bear all expenses other than the preparation of the deed of conveyance necessary to accomplish the conveyance.

The lands in question were acquired by the United States in connection with the construction of a lock and dam at the site, authorized by an act of Congress approved July 25, 1912. The larger tract was acquired by purchase from George T. and Frank B. Houston in October 1913 for \$1,653. The smaller tract was acquired by purchase from F. O. Arthur and Retta Arthur in August 1913 for \$300.

The improvements on the larger tract, all of which were constructed by the United States after purchase of the land, include the buildings and utilities listed in the bill, and in addition a small warehouse and storage shed of wood construction. The tract is centrally located on the eastern boundary of lands owned by Horace K. Houston, the son of George T. Houston. Mr. Horace K. Houston is interested in acquiring this tract and has submitted to the Department an offer of \$2,000 for the tract and all improvements thereon. The small tract on the opposite side of the river is not improved and its present value is nominal.

Under the provisions of the act of Congress approved August 26, 1937, operation and maintenance of this lock and dam has been abandoned and the property is surplus to the needs of the Department. The property in question may therefore be disposed of under authority of section 7 of the River and Harbor Act approved August 30, 1935, in such manner as the Secretary of War may direct. In a recent and somewhat similar case, H. R. 9014, Seventy-fifth Congress, third session, a bill to authorize the conveyance without compensation of property at lock and dam No. 6,

Kanawha River, to the Lane S. Anderson Post, No. 97, veterans of Foreign Wars of the United States, the Bureau of the Budget held that the best interests of the Government would be served if the bill were revised to incorporate the principles of the act of August 26, 1935 (49 Stat. 800), which act authorizes the disposition for public purposes by sale of certain Federal buildings and sites under the control of the Treasury Department at a price not less than 50 percent of the appraised value of the land and improvements thereon. The consideration stated in the bill is in excess of 50 percent of the appraised value of the lands and improvements described therein.

It appears desirable to include within the bill a description of the lands to be conveyed, and the bill has been modified accordingly. If amendment as indicated in red, the Department has no objection to its favorable consideration by Congress.

This report was submitted to the Bureau of the Budget which states that there would be no objection to its submission to Congress.

Sincerely yours,

LOUIS JOHNSON,
Acting Secretary of War.

AMENDING NAVAL APPROPRIATIONS ACT, 1921

Mr. VINSON of Georgia. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 1131) to amend the part of the act entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1921, and for other purposes," approved June 4, 1920, relating to the conservation, care, custody, protection, and operation of the naval petroleum and oil-shale reserves, which I send to the desk.

The Clerk read as follows:

Be it enacted, etc., That the part of the act entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1921, and for other purposes," approved June 4, 1920 (41 Stat. 813), relating to the conservation, care, custody, protection, and operation of the naval petroleum and oil-shale reserves, contained in the paragraph entitled "Investigation of Fuel Oil and Other Fuel," and embodied in the United States Code, title 34, section 524, be amended so as to read as follows:

"The Secretary of the Navy is directed to take possession of all properties within the naval petroleum reserves, naval oil-shale reserves, and other naval fuel reserves as are or may become subject to the control and use by the United States for naval purposes; to conserve, develop, use, and operate the same in his discretion, directly or by contract, lease, or otherwise, such use and operation to be for the protection of the aforesaid reserves or for carrying out the provisions of this act; and to use, store, exchange, or sell the oil and gas products thereof, and those from all royalty oil and gas from lands in the naval reserves, for the benefit of the United States, subject to the applicable limitations and restrictions of this act; and to exercise exclusive jurisdiction and control over those lands within the borders of naval petroleum reserves Nos. 1 and 2 which are embraced by leases granted pursuant to the provisions of the act of Congress approved February 25, 1920, entitled 'An act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain' (41 Stat. 437).

"In order to consolidate and protect the oil lands owned by the Government, the Secretary of the Navy is authorized to contract with owners and lessees of land within or adjoining such reserves for conservation in the ground of oil and gas and for compensation for estimated drainage in lieu of drilling or operating offset wells, and to exchange Government land in naval petroleum reserve No. 1, the right to royalty production from any of the naval petroleum reserves, and the right to any moneys due to the Government as a result of the wrongful extraction of petroleum products from lands within naval petroleum reserve No. 1, for privately owned land or leases within naval petroleum reserve No. 1: *Provided*, That no lease of any portion of the naval petroleum reserves, no contract to alienate the use, control, or possession thereof from the United States, no contract to sell the oil and gas products thereof, other than royalty oil and gas products, no contract for conservation or for compensation for estimated drainage, and exchange of any kind, any right to royalty production, or any right to any moneys as hereinabove authorized shall become effective until approved by the President: *Provided further*, That the Secretary of the Navy shall report annually to the Congress all agreements entered into under the authority herein granted.

"In the event of the inability of the Secretary of the Navy to make satisfactory exchanges of land or agreements for the conservation of naval petroleum with the private owners of lands or leases within or adjoining naval petroleum reserve No. 1, as provided for in this act, he is hereby authorized, with the approval of the President, to acquire such privately owned lands or leases in naval petroleum reserve No. 1 by purchase or condemnation. There is hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this act. Such sums shall be expended under the direction of the President, who shall submit to the Congress estimates therefor in the manner prescribed by law:

Provided, That the Secretary of the Navy shall report annually to the Congress all purchase and condemnation proceedings entered into under the authority herein granted.

"Leases of lands of the United States within the naval petroleum reserves, in existence prior to July 1, 1936, excepting those leases which have become a part of an approved unit or cooperative plan and agreement, shall terminate at the expiration of their initial 20-year periods, and the lands covered by such terminated leases may be re-leased upon such reasonable terms and conditions as the Secretary of the Navy may prescribe, with the preferential right in the former lessees to leases of the same if and when the lands are re-leased: *Provided*, That every unit or cooperative plan of development and operation entered into after July 1, 1937, and every lease entered into subsequently to July 1, 1937, with respect to lands owned by the United States within the naval petroleum reserves, shall contain a provision whereby authority, limited as provided in such plan or lease, is vested in the Secretary of the Navy to alter or modify from time to time in his discretion the rate of prospecting and development on, and the quantity and rate of production from, such lands of the United States under said plan or lease, any law to the contrary notwithstanding.

"Citizens of another country, or corporations controlled by citizens of another country, the laws, customs, or regulations of which deny the privilege of leasing their public lands to citizens or corporations of this country, shall not by contract made subsequently to July 1, 1937, or by stock ownership, holding, or control, acquire or own any interest in or right to any benefit from any lease of land in the naval petroleum, naval oil shale, or other naval fuel reserves at any time made under the provisions of the Mineral Leasing Act of February 25, 1920, or of this act, and in the event of any violation of any of these provisions, the Secretary of the Navy shall have the right to cancel such lease forthwith.

"The Secretary of the Navy is hereby authorized to prescribe necessary rules and regulations and to do any and all things necessary or proper to accomplish the purposes of this act. All statements, reports, and representations required thereby shall be under oath, unless otherwise specified, and in such form as the Secretary of the Navy may require.

"Except as otherwise provided in this act, all moneys which may accrue to the United States under the provisions of this act, or of the said act of February 25, 1920 (41 Stat. 437), from lands within the naval petroleum reserves, naval oil-shale reserves, or other naval fuel reserves on account of the petroleum products extracted therefrom shall be deposited in the Treasury of the United States as miscellaneous receipts; and any or all oil, gas, gasoline, or other hydrocarbon substances accruing to the United States as royalties from leases of lands within the naval petroleum reserves, the naval oil-shale reserves, or other naval fuel reserves under authority of this act shall be paid for in money or be paid in kind as the Secretary of the Navy may elect.

"Any lease issued under the provisions of this act may be forfeited and canceled by an appropriate proceeding in the United States district court for the district in which the property, or some part thereof, is located, whenever the lessee fails to comply with any of the provisions of this act, of the lease, or of the regulations promulgated under this act and in force at the date of the lease; and the lease may provide for resort to appropriate methods for the settlement of disputes and for remedies for breach of specified conditions thereof."

Sec. 2. All acts or parts thereof in conflict with the provisions of this act are hereby repealed.

With the following committee amendments:

Page 2, change lines 4 and 5, to read as follows: "of all properties within the naval petroleum reserves and other naval fuel reserves as are or."

Page 2, line 8, after the comma after the word "discretion", insert "subject to approval by the President."

Page 5, line 1, insert a comma after the word "authority", and a comma after the word "lease."

Page 5, line 2, after the word "Navy", insert a comma and add "subject to approval by the President."

Page 5, line 14, strike out "naval oil-shale."

Page 5, line 20, after the word "Navy", insert a comma and "subject to approval by the President."

Page 6, line 5, strike out "naval oil-shale reserves."

Page 6, line 11, strike out "the naval oil-shale reserves."

Page 6, line 24, change the period to a colon and add before the quotation marks the following proviso: "*Provided*, That nothing herein contained shall be construed to permit the development, or operation of the naval oil-shale reserves."

Page 6, after line 24, add the following section:

"Sec. 2. Nothing herein contained shall be construed as validating, acquiescing in, or giving color to any claim of any person, natural, governmental, or corporate, other than the United States, to any right, title, or interest in any lands or interests therein claimed, or which may be claimed, by the United States, or as preventing or interfering with the accrual of any right to damages or cause of action in favor of the United States against any person whomsoever."

Page 7, line 1, strike out "Sec. 2" and insert in lieu thereof "Sec. 3."

The SPEAKER. Is there objection?

Mr. SNELL. Mr. Speaker, I reserve the right to object. I think the gentleman should make a short statement and tell us what is in the bill.

Mr. VINSON of Georgia. Mr. Speaker, in September 1912 President Wilson set aside certain lands as naval oil reserves, in Kern County, Calif., known as Elk Hills. Some 30,000 acres in Kern County are owned by the Government, and 4,662 acres are owned by or alleged to be owned by the Standard Oil Co. The purpose of the legislation is to control and preserve the oil in the ground, keeping it from being drained out by the drilling of wells. As will be seen from the map which I hold in my hand, all of the brown section is Government land. This land here seems to be owned by the Standard Oil Co. The purpose of the legislation is to promote two things, either to permit the Government to condemn and buy the land owned by the Standard Oil Co., or else enter into an agreement whereby they can exchange certain lands and concentrate the Standard Oil land all in one section, thereby keeping the land from being drained. On May 28 the President wrote the following letter to the Secretary of the Navy:

THE WHITE HOUSE,
Washington, May 27, 1938.

Hon. CLAUDE A. SWANSON,
Secretary of the Navy, Washington, D. C.

MY DEAR MR. SECRETARY: This is to acknowledge receipt of your letter of May 18, 1938, concerning S. 1131, to further protect the naval petroleum reserves, which has passed the Senate and is now pending in the House.

In February 1936 the draft of legislation regarding this subject proposed by you was given careful attention by me and was then considered as necessary in the interest of the national defense. With the exception of some minor changes S. 1131 appears to be in the same form as the draft of bill which I had before me in 1936. In view of the conditions described by you as existing at this time, it appears highly advisable that Congress pass this bill, or similar legislation, at an early date.

Sincerely yours,

FRANKLIN D. ROOSEVELT.

We have so amended the bill that we do not surrender any of our title to any of the land claimed by the Standard Oil Co. We preserve whatever rights or interest we have or may have in the hope that further development in the Department of Justice, and through a subcommittee that will be appointed, may enable the Government to bring suit to recover title to these lands.

Mr. SNELL. This is an absolutely fair proposition to take care of the Government lands and also the lands in private ownership?

Mr. VINSON of Georgia. Absolutely.

Mr. SNELL. I am entirely in favor of the general principle of conservation, but I do not want to see anything done that will not be fair to all parties concerned.

Mr. VINSON of Georgia. It is, absolutely. Some of us do not think the Standard Oil Co. has good title. Inquiry is being made to determine this. The pending bill will not confer good title upon the Standard Oil Co., but if they do have good title, and the title is finally held to be good by the courts, then it is in the interest of the Government either to buy out the Standard Oil Co. holdings in this area or consolidate their holdings in one section so they will not drain the oil reserve.

Mr. SNELL. This bill is not prejudicial to the private ownership?

Mr. VINSON of Georgia. Not a bit.

Mr. SNELL. If it is a bill in the interest of conservation, I cannot see any objection to it.

Mr. VINSON of Georgia. It is.

Mr. PHILLIPS. Mr. Speaker, reserving the right to object, I just came in. I understand unanimous consent has been asked for the consideration of this bill. The Committee on Naval Affairs reported out this bill over the objection of the gentleman from California [Mr. Scott] and myself. I do not see the gentleman from California here.

Mr. VINSON of Georgia. Mr. Speaker, will the gentleman yield?

Mr. PHILLIPS. I yield.

Mr. VINSON of Georgia. I may state to the gentleman from Connecticut that the gentleman from California [Mr. Scott] has informed me he has no objection to the consideration of this bill.

Mr. PHILLIPS. When the Committee on Naval Affairs agreed to report out this bill the chairman told us he was going to try to get a rule making its consideration in order. Those of us who were against it then, the gentleman from California and myself, are against it now. If the bill is to be considered, it should be considered in such a way that full opportunity for discussion will be afforded those opposed to the bill. I have notified the chairman of the Rules Committee, the gentleman from New York [Mr. O'Connor] to this effect.

Mr. O'CONNOR of New York. Mr. Speaker, will the gentleman yield?

Mr. PHILLIPS. Just a minute. So many factors are involved in this question that the House ought to know about that I do not think the bill ought to be considered in this fashion, and I shall have to object to the request.

Mr. CHURCH. Mr. Speaker, will the gentleman reserve his objection?

Mr. PHILLIPS. I will reserve it to permit the gentleman to make a statement.

Mr. VINSON of Georgia. Mr. Speaker, I demand the regular order.

The SPEAKER. The regular order is demanded. The regular order is, Is there objection to the request of the gentleman from Georgia?

Mr. PHILLIPS. Mr. Speaker, I object.

Mr. GILCHRIST. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record at this point and to include a short statement by Dr. Black, of the Bureau of Agricultural Economics.

The SPEAKER. Without objection it is so ordered.

There was no objection.

The matter referred to follows:

REFUND OF THE HOG-PROCESSING TAX TO THE FARMER

The Federal Government is under the same obligation to refund to farmers the hog-processing tax, paid by them under an unconstitutional law as to refund to packers and processors, railroads, or other corporations' taxes that they may have paid under laws held unconstitutional by the Supreme Court of the United States.

Congress has followed a policy of making refunds to all other groups of our citizens, including corporations, of taxes erroneously, illegally, and otherwise wrongfully collected or of taxes levied and collected under unconstitutional laws. Up to date Congress has discriminated against the farmer. He has not received the same consideration from Congress that other groups have received with respect to refunds of the illegally collected processing tax on hogs.

THE HISTORY OF THE HOG-PROCESSING TAX

The Agricultural Adjustment Act became law on May 12, 1933. Under its provisions and under the regulations of the Secretary of Agriculture a processing tax was levied on the first domestic processing of live hogs, beginning on November 5, 1933, at the rate of 50 cents a hundredweight—live weight. On December 1, 1933, this tax was increased to \$1 a hundredweight. On February 1, 1934, it was increased to \$1.50 a hundredweight, and on March 1, 1934, it was increased again to \$2.25. It continued in effect at that rate until January 6, 1936, when the Supreme Court of the United States held the processing taxes to be unconstitutional.

Three types of processing taxes were levied with respect to hogs, namely a tax on the first domestic processing of hogs sold to processors by domestic producers; second, a tax on the first domestic processing of imported hogs; and third, a processors' floor-stock tax.

Taking these three types of hog-processing taxes in inverse order, it appears that during the effective period of the tax the processors paid floor-stocks taxes in the aggregate sum of \$6,321,640.97; import compensation taxes in the aggregate sum of \$528,576.45, and processing taxes in the aggregate sum of \$263,230,867.47. In addition to this last-named sum the processors collected from the producers approximately \$98,000,000, which on January 6, 1936, when the tax was declared invalid, they had not paid over to the Government. These two last-named sums, totaling \$361,230,867.47, represent the amount the processors collected from the producers in the form of lowered prices paid by them for live hogs.

THE THEORY OF THE TAX

The theory of the tax and the intent of Congress was that the tax would be collected from the packers and processors by adding

it to the wholesale and retail price of the products and paid by the consumer, but this was not done.

The theory of the law did not work out in practice. The intent of the act was perverted, the tax was collected from the processors, but what the packers actually did in this case of hogs was to deduct the amount of the tax from the price the packers paid to the producers and they thus charged the full amount of the tax back to the producer in a lower price for his hogs.

This is not essentially true with respect to the other commodities on which a tax was levied under the Agricultural Adjustment Act, but in the case of hog producers there is no dispute about the facts. The hog producers bore the full burden of the hog-processing tax.

The packers, when they appeared before the House Agricultural Committee of which I am a member, not only prophesied that they would charge the amount of the processing tax back to the producers, but after the tax had been in effect they definitely stated to our committee that that was precisely what they were doing.

A most significant document was prepared by Dr. A. G. Black, Chief of the Bureau of Agricultural Economics, on May 10, 1937, entitled "An Analysis of the Effects of the Processing Taxes Levied Under the Agricultural Adjustment Act." It proves (1) that the processors did not pay the tax; (2) that the distributors did not pay the tax; (3) that the consumers did not pay the tax; but (4) that the producers did pay the tax. Dr. Black has this further to say: "Since the total amount paid for hog products by consumers apparently was no greater with the tax than it would have been if the tax had not been in effect, and since the processors and distributors did not absorb any appreciable proportion of the tax, it follows that the prices received by producers for hogs were lower by the amount of the tax than they would have been if the tax had not been in effect." Dr. Black further says: "It follows that live-hog prices were lower by about the amount of the processing tax than they would have been if no tax had been imposed but all other conditions had been the same." * * * The evidence presented in the foregoing analysis indicates that the direct effect of the hog-processing tax was to cause prices received by hog producers to be lower than they otherwise would have been by approximately the amount of the tax. The evidence indicates moreover, that processors of hogs and distributors and consumers of hogs were not materially affected by the tax."

The hog producers knew at the time the tax was levied that they were paying the tax. The farmers know now that they bore the full burden of the processing tax on hogs. The processors stated publicly before our committee that they were going to charge the processing tax back to the farmers. They stated before our committee that they were doing it and now the United States Department of Agriculture, through its own Bureau of Agricultural Economics, after making a scientific study of the facts, admits that the processing tax on hogs was charged back to and paid by the producers of hogs.

THE HISTORY OF REFUNDS OF OTHER ILLEGAL TAXES

The Congress has been very generous to the processors in making refunds to them of that portion of the processing tax on cotton, on lute and paper, on wheat, on tobacco, on corn, on hogs, on sugar, on peanuts, on rice, and on rye, whether it be on processing tax or on floor stocks taxes of which they bore the burden and which they could prove were not passed on to the consumer or passed back to the farmer in the form of lower prices for their products.

The provisions for such refunds are contained in titles 4 and 7 of the Revenue Act of 1936. Titles 4 and 7 authorize that the necessary appropriations be made by the Congress and provides the procedure under which the processors, including the packers, might file claims for refunds with the Bureau of Internal Revenue of the Federal Government.

Fifteen million dollars was included in the Budget for the 1938 fiscal year, recommended by the President and approved by the Bureau of the Budget, and \$15,000,000 was actually appropriated for that purpose. In the Budget recommended by the President for the 1939 fiscal year, \$50,000,000 was included for the purpose of making those refunds to processors and the \$50,000,000 appropriation was included in the second deficiency appropriation which passed the Congress in the closing hours of the present session. I do not complain about this.

The railroads have been taken care of too. The 150 railroad corporations were subject to a tax under the Railroad Retirement Act of 1934. The Railroad Retirement Act became effective in June 1934, and on May 6, 1935, it was declared unconstitutional by the Supreme Court of the United States.

In the intervening period these 150 railroads paid to the Railroad Retirement Board approximately \$138,411.89. Through the influence of the American Association of Railways a bill was introduced in Congress some time in March 1938. The bill authorized and directed the Secretary of the Treasury to refund to the railroads the \$138,411.89 which these 150 railroads had paid in the form of an illegal tax under the 1934 Railroad Retirement Act. This bill passed both Houses of Congress and was signed by the President within 2 months after it was first introduced in the Congress. I am not complaining of this.

FARMERS NOT TREATED SO GENEROUSLY

The farmers are not treated so generously as the corporations are treated by the Congress. They are not treated as fairly or as

justly. This is especially true with reference to the hog producers where there is neither disagreement nor dispute of the fact that the processing tax on hogs was borne by the farmers.

In September 1937 a bill was introduced in Congress making provision for the refund of the processing taxes on hogs to the farmers. Under the provisions of the bill the farmer would be required to prove that he marketed hogs for slaughter during the period the tax was in effect.

This bill was referred to the Committee on Agriculture of the House of Representatives. It was referred to a subcommittee for hearings. I am a member of this subcommittee, and farmers came in from seven or eight States and testified in favor of the passage of this bill. No one appeared in opposition to the bill. I voted to report the bill to the full committee, and the bill was so reported, with a recommendation that the full committee report it out for passage. In a number of meetings I urged the full committee to take action and report the bill out for passage. No action has been taken to date. The minutes of the Committee on Agriculture of the House show that I entered the motion to have the bill reported with a favorable recommendation for its passage.

The hog producers were unjustly and illegally taxed. The Treasury of the United States was unjustly enriched by the amount of the tax collected from the hog producers of the Nation. Congress has the same moral obligation to enact the necessary legislation to make refund to the farmers of this tax as it has to refund any other tax which has been levied and collected under an unconstitutional law to others of our citizens, be they individuals or corporations. It is just as necessary to enact remedial legislation in behalf of the farmers to authorize and make provision for the refund of the hog-processing tax as it has been for the Congress by special legislation to authorize and make provision for the refund to the railroads, to the processors and packers, and to countless others over the years.

It is an old principle and a well-established policy recognized by both the courts and by the Congress. It has been my purpose to see that the farmers were included in this policy of government. The Federal court in considering the railroad retirement case said, in considering the Railroad Retirement Act, when the question of further payment of the tax by the railroads to the Government was under consideration: "The sum of \$5,000 to be paid by some corporations or individuals might cause great damage or injury, but I do not think it will work great damage to most of these plaintiffs here. Moreover, if it is true that the law should turn out to be unconstitutional, I cannot conceive that Congress would refuse to reimburse the railroads."

By the same token of elemental logic and by the plain principles of equity, I cannot conceive that Congress could or can refuse to reimburse the farmers. This wrong must be remedied.

ASSESSMENT WORK ON MINING CLAIMS

Mr. MURDOCK of Arizona. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 3493) providing for the suspension of annual assessment work on mining claims held by location in the United States.

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, is this bill on the Consent Calendar?

Mr. MURDOCK of Arizona. No; it is not.

Mr. RICH. Mr. Speaker, reserving the right to object, why should this assessment work on mining claims be suspended?

Mr. MURDOCK of Arizona. Mr. Speaker, for several years during this depression, the \$100 worth of assessment work required on unpatented mining claims has been suspended. The moratorium has been extended, now, I believe, since 1932. I feel that conditions in the mining communities are as bad now or worse than they have been in the intervening years. This is for the benefit of the small-claim owners, who, if we do not pass this bill, or if they do not do \$100 worth of work on each claim prior to July 1, will probably lose their claims; that is, possibly have their claims jumped.

Although we should end this suspension sometime, certainly, I feel we ought to extend this moratorium another year. We have extended aid to other classes in distress; now let us aid these small-claim owners. It will not cost the Government to do so, and it will help thousands of our most courageous citizens in their desperate struggle.

Mr. RICH. It is simply an extension of time; it is not a grant to them? Does the bill give any rights or privileges to them other than an extension of time?

Mr. MURDOCK of Arizona. No. We are simply extending the moratorium 1 year. It is similar to bills that have been passed in the last few years.

Mr. THOMASON of Texas. Mr. Speaker, will the gentleman yield?

Mr. MURDOCK of Arizona. I yield.

Mr. THOMASON of Texas. Is it not a fact that this will not cost the Government anything; that it is a measure of relief to these men. It is an entirely meritorious bill I may say to the gentleman from Pennsylvania, and does not affect anybody adversely.

Mr. MURDOCK of Arizona. Your statement is correct. It will cost the Government nothing. My friend from El Paso knows full well the need and what this bill means to small mining men.

Mr. THOMASON of Texas. Absolutely.

Mr. RICH. If it provides only for an extension of time and extends no additional rights or privileges I shall not object, but if it goes beyond this I do not think the bill should be considered by unanimous consent.

Mr. SNELL. Mr. Speaker, reserving the right to object, as I understand the situation, this bill is in the interest of the small prospector?

Mr. MURDOCK of Arizona. Yes; the gentleman is exactly right.

Mr. SNELL. Why? I do not like the principle; if it is purely in the interest of the poor man, I shall not object.

Mr. CASE of South Dakota. Mr. Speaker, reserving the right to object, will the gentleman tell me whether or not this has been passed upon by the House Committee on Mines and Mining?

Mr. MURDOCK of Arizona. Not formally. It passed the Senate on June 7. Perhaps there has not been a meeting of the Committee on Mines and Mining meanwhile. I spoke to the chairman and one or two other members of that committee and apparently they are not opposed to the bill, considering the evident need today of this relief.

Mr. CASE of South Dakota. Yesterday I talked with the clerk of the Committee on Mines and Mining of the House, of which I am a member, and the clerk informed me that the committee was not going to report the bill, that information was had to the effect the President was opposed to the bill. The gentleman will recall that last year when we had this bill up for consideration the House committee in its report at that time asked the House to pass the bill with the definite understanding it would not be asked to do so again this year.

In justice to the position of the committee, I desire to insert at this point a letter from the President to Chairman JOE SMITH of the Committee on Mines and Mining at the time legislation was passed last year:

THE WHITE HOUSE,
Washington, June 24, 1937.

Hon. JOE L. SMITH,
Chairman, Committee on Mines and Mining,
House of Representatives.

MY DEAR MR. CHAIRMAN: I have today approved Senate bill 187, providing for the suspension of annual assessment work on mining claims held by location in the United States.

I have noted with interest the following paragraph in the House report on the bill:

"Notwithstanding the report of the Department, the committee recommends the passage of the bill, because prospectors were not put on notice that the practice of granting moratoriums from year to year would be discontinued. The committee agreed that any further attempt to waive the annual assessment work or payment will not be considered."

I have been much gratified by this fine cooperation on the part of the committees. Indeed, if it had not been for this assurance, I would have felt compelled to return this bill without my approval.

Sincerely yours,

FRANKLIN D. ROOSEVELT.

On this basis the committee, I think, has felt itself estopped from asking for exemptions again this year.

Personally, I feel that the situation has changed from last year, but yesterday I was informed by a member of the committee that the chairman had received a letter saying this bill would not be approved by the White House. He may have been mistaken or the President may have taken note of changed conditions. We should have information on that point if it is available.

Mr. THOMASON of Texas. If the situation has changed, is it worse now than it was at that time?

Mr. CASE of South Dakota. Yes; as far as I am concerned. Mr. THOMASON of Texas. This is not new legislation. It is simply a moratorium for the little man.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the provision of section 2324 of the Revised Statutes of the United States, which requires on each mining claim located, and until a patent has been issued therefor, not less than \$100 worth of labor to be performed or improvements aggregating such amount to be made each year, be, and the same is hereby, suspended as to all mining claims in the United States during the year beginning at 12 o'clock m. July 1, 1937, and ending at 12 o'clock m. July 1, 1938: *Provided*, That the provisions of this act shall not apply in the case of any claimant not entitled to exemption from the payment of a Federal income tax for the taxable year 1937: *Provided further*, That every claimant of any such mining claim, in order to obtain the benefits of this act, shall file, or cause to be filed, in the office where the location notice or certificate is recorded, on or before 12 o'clock m. July 1, 1938, a notice of his desire to hold said mining claim under this act, which notice shall state that the claimant, or claimants, were entitled to exemption from the payment of a Federal income tax for the taxable year 1937: *Provided further*, That such suspension of assessment work shall not apply to more than 6 lode-mining claims held by the same person, nor to more than 12 lode-mining claims held by the same partnership, association, or corporation: *And provided further*, That such suspension of assessment work shall not apply to more than 6 placer-mining claims not to exceed 120 acres (in all) held by the same person, nor to more than 12 placer-mining claims not to exceed 240 acres (in all) held by the same partnership, association, or corporation.

Mr. DIMOND. Mr. Speaker, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. DIMOND: On page 1, line 9, after the words "United States", insert "including the Territory of Alaska."

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. ROBERTSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a brief statement from the Bureau of Mines on the subject of manganese, foreign and domestic.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. PLUMLEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an address by the Honorable W. Arthur Simpson, chairman of the Old Age Commission of Vermont.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. GRAY of Indiana. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on the subjects of rural electrification, the wage and hour bill, and the Post Office bill.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

EXEMPTION FROM TAXATION OF PUBLICLY OWNED INTERSTATE HIGHWAY BRIDGES

Mr. O'NEAL of Kentucky. Mr. Speaker, I move to suspend the rules and pass the bill (S. 252) to exempt publicly owned interstate highway bridges from local taxation.

The SPEAKER. Is a second demanded?

Mr. SNELL and Mr. THOMPSON of Illinois demanded a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER. The gentleman from Kentucky [Mr. O'NEAL] will be recognized for 20 minutes and the gentleman

from New York [Mr. SNELL] will be recognized for 20 minutes.

Mr. SNELL. I do that largely to find out a little bit about this bill.

Mr. SNELL. Mr. Speaker, will the Speaker kindly recognize the gentleman from Michigan [Mr. MAPES] to control the time in opposition?

The SPEAKER. The gentleman from Michigan.

Mr. MAPES. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois [Mr. THOMPSON].

Mr. THOMPSON of Illinois. Mr. Speaker, there is nothing particularly new about this measure. Exactly 2 years ago a similar bill was before the House in the closing hours of the Seventy-fourth Congress. The bill passed in the late hours of the evening and was subsequently vetoed by the President of the United States and did not become law.

It seems to me this measure attempts to inject the Federal Government into a subject in which it has no moral or possibly lawful right. There is no reason why a State or a subdivision of one State should go into another State and acquire land for an approach to a toll bridge and be relieved from taxes in that other State. Very often a State acquires property which is most valuable in the State across the river from it, and the local taxing body suffers seriously because of that loss of revenue.

Let me read just what the President of the United States said when he vetoed the similar bill 2 years ago:

I am withholding my approval of S. 3107, to exempt publicly owned interstate highway bridges from State, municipal, and local taxation, for the following reasons:

The effect of this bill would be that, by declaring publicly owned interstate highway bridges to be Federal instrumentalities, such bridges would thereby be exempt from all State and local taxation. I cannot give my approval to this bill, first, because I can find no compelling reason for making publicly owned interstate highway bridges Federal instrumentalities, and secondly, because relieving such bridges of all State and local taxation would, in the majority of cases, result in loss of revenue by States and their political subdivisions, necessitating material curtailment of necessary activities, or the imposition of increased tax burdens upon other taxpayers to make up the deficit.

Mr. Speaker, it seems to me the way to handle this matter would be by a system of State compacts or reciprocal agreements between the States involved. I do not believe the Congress of the United States should inject itself into a problem such as is here presented when it can be worked out, I am sure, by the various States that are affected.

Mr. LUCAS. Mr. Speaker, will the gentleman yield?

Mr. THOMPSON of Illinois. I yield to the gentleman from Illinois.

Mr. LUCAS. If I correctly understand the message of the President of the United States, the primary reason for the veto is the fact that the Federal Government is going into a State and attempting in a legislative way to do something it has no right or business to do.

Mr. THOMPSON of Illinois. Absolutely. It is injecting itself into purely local matters.

There are a number of bridges between Illinois and Missouri, Illinois and Iowa, and Illinois and Kentucky. I am sure, if the State officials desired, they could bring about a series of reciprocal agreements that would result in the clearing up of this problem, thus letting the Federal Government stay entirely out of the picture. I do not see any excuse for a bill of this kind at this time. The cities and States operate these toll bridges. When the loans on the bridges have been amortized, naturally, the bridges will become free bridges and the lands involved removed from the tax rolls of the various States or subdivisions thereof in which they may be located.

Therefore, Mr. Speaker, I hope the House will see fit to vote down the motion to suspend the rules, and let the States retain their rights over matters of purely local taxation and local interest.

Mr. O'NEAL of Kentucky. Mr. Speaker, I yield 2 minutes to the gentleman from Missouri [Mr. COCHRAN].

Mr. COCHRAN. Mr. Speaker, there is no community in this country more affected by reason of taxes levied on a

free bridge than the city of St. Louis. The first bridge ever built across the Mississippi River was built at St. Louis by James Eads, the great engineer. Tolls have been collected on the Eads bridge ever since it was constructed. The city of St. Louis spent approximately \$14,000,000 putting up a bridge and approaches, floated the bonds, and made it a free bridge because of this situation. We have never been able to get an agreement with the State of Illinois on taxing this free bridge. Illinois taxes this free bridge today. This bill in its present form is not entirely satisfactory to the officials of St. Louis, but as you know it is not subject to amendment as it is being considered under suspension of the rules. The gentleman from Kentucky advises me in a long-distance telephone conversation with the legal authorities of St. Louis this morning they assured him they were willing to let the bill pass and if an amendment is needed it will be taken care of next year.

As I said, Illinois taxes our free bridge, although the bridge has brought to the people of Illinois many benefits including millions of dollars in trade, and, more than that, has enabled their people to get across the Mississippi River at St. Louis without toll, with the possible exception of a few years when they started collecting a toll of 10 cents, the entire proceeds going for relief purposes.

Mr. LUCAS. Mr. Speaker, will the gentleman yield?

Mr. COCHRAN. I yield.

Mr. LUCAS. Does the gentleman believe that that bridge has been of any commercial value to St. Louis in bringing people from Illinois to trade there?

Mr. COCHRAN. I do not believe St. Louis or Missouri has benefited to the extent that Illinois has. You know, all race tracks are right across the river from St. Louis and you know you cannot get across that bridge at times owing to the congestion. Thousands of people working in St. Louis now live in your State. Your farmers use our bridge. The gentleman knows further they are going to build another bridge there to relieve the congestion, and, further than that, the city of St. Louis today is trying to get hold of the Eads Bridge and make that bridge also a free one, which Illinois will tax if this bill is not passed.

Mr. MAPES. Mr. Speaker, I have no further requests for time.

Mr. O'NEAL of Kentucky. Mr. Speaker, I yield 3 minutes to the gentleman from Kentucky [Mr. VINCENT].

Mr. VINCENT of Kentucky. Mr. Speaker, this inconceivable attitude on the part of the State of Illinois is one that I simply cannot understand. Kentucky about 7 or 8 years ago took a forward step and spent around \$30,000,000 in building toll bridges into the States of Indiana, Ohio, Illinois, and West Virginia. We have five toll bridges going into the great State of Ohio and they do not even ask or attempt to put any local tax on the river bank and the abutment on that side of the river, neither does the great State of Indiana, but the gentlemen from Illinois say they can get \$150,000 a year from the investment that other States have made in the toll bridges that go into their State. They are built for their convenience, because our people go over there and spend their money. They buy seed corn and garden seed and hay and grain, and, of course, everyone knows that Illinois has two of the greatest retail establishments in the world, Montgomery Ward and Sears, Roebuck, and yet the great rich State of Illinois wants to reach down here and tax these toll bridges when they extend over to their bank. It will have this effect, Mr. Speaker. In 1940 our toll bridges will be free by the payment of these tolls—free to everybody. They are public bridges owned by the State of Kentucky. Now, if Illinois can levy a tax upon these bridges they will never be free to the people of the United States.

Mr. Speaker, I like these gentlemen and they are fine fellows, but this would be the same thing as putting a tax on a church building or a school house, because these bridges are for the public.

Then they say this is a local matter. I have always been taught that whenever commerce moves from one State over to another, whenever there is a question of jurisdiction between one State and another, it is a Federal question if it goes into the courts, as it is a question of interstate commerce.

Mr. LUCAS. Mr. Speaker, will the gentleman yield?

Mr. VINCENT of Kentucky. I yield.

Mr. LUCAS. The gentleman has been a pretty faithful follower of the President since he has been in Congress and he is now discussing an issue and taking a side with which the President does not agree, and I would like to have the gentleman discuss the veto message of the President.

[Here the gavel fell.]

Mr. O'NEAL of Kentucky. Mr. Speaker, I yield the gentleman 2 additional minutes.

Mr. LUCAS of Kentucky. I understand that this same bill was passed at the last session and our boys went back home and never thought anything about it, and some of you fellows brought to bear information or a whispering campaign to the President and got him to veto the bill after we had gone home. [Laughter.]

Now, let us pass it again and give us the same chance to go to the President and present our argument to him, and I am sure he will not want to penalize the State of Iowa or the State of Missouri, or the State of Kentucky, in favor of Illinois.

Mr. THOMPSON of Illinois. Mr. Speaker, will the gentleman yield?

Mr. VINCENT of Kentucky. I yield.

Mr. THOMPSON of Illinois. I just want to point out to my friend from Kentucky that the Illinois delegation never conducts any whispering campaign.

Mr. BIERMANN. Mr. Speaker, will the gentleman yield?

Mr. VINCENT of Kentucky. I will be glad to yield to the gentleman.

Mr. BIERMANN. The gentleman from Illinois said that they wanted to levy taxes while the tolls are being collected, but after the tolls are stopped there will be no such taxes levied. If it is just to levy taxes while tolls are being collected, it would be equally as just to levy taxes afterward, because thereafter Kentucky would have to put up the money out of its own taxes.

Mr. VINCENT of Kentucky. That is right.

Mr. BIERMANN. And Iowa would have to do the same thing.

Mr. VINCENT of Kentucky. Yes; they will not be free in 1940, and they never will be free, because the great State of Illinois will say, "We want to levy a tax on them; we want to reap where we have not sown." And that is not right.

Mr. MASON. Would there be anything to stop the State of Illinois from relinquishing these taxes the minute the bridge became a free bridge?

Mr. VINCENT of Kentucky. I do not think, from the attitude that they have assumed, that they will have any inclination to release it once they get the right to do it.

Mr. MASON. I have a different opinion about that.

The SPEAKER. The time of the gentleman from Kentucky has expired.

Mr. O'NEAL of Kentucky. Mr. Speaker, it appears that when you mention either one of two subjects, bridges or taxes, everyone becomes a little bit excited. This bill does not touch, top, side, or bottom, any privately owned bridge, whether it collects tolls or collects its revenue in any form. It does not touch any bridge publicly owned where tolls are applied to any purpose other than freeing the bridge, or paying maintenance and upkeep. This bill deals entirely with publicly owned bridges; if there is a revenue, it must be for retiring existing debts, to free the bridge or to use it for maintenance and upkeep. Therefore, where a publicly owned toll bridge or publicly owned bridge crosses an interstate stream, this bill provides that it is deemed an instrumentality of interstate commerce, and shall be free from taxation. There could be nothing that more clearly approaches an instrumentality of interstate commerce than a bridge pub-

licly owned, reaching from one State to another. That is the essence of interstate business. Therefore, it is properly nontaxable by any State or municipality. There could be nothing more clearly of Federal interest than an interstate instrumentality, such as an interstate bridge.

The practical effect of this bill is in the interest of the people. This is not taking advantage of anybody as has been alleged. It is helping the public to pass from one State to another, without having to pay toll. There are 109 publicly owned bridges in the United States, between twenty-odd States of the Union. This bill will mean that some bridges will one day be free which could never be tax free if some community across the river would decide to levy a tax on the bridge. If this bill passes, as soon as any debt on a publicly owned bridge is paid, the bridge will become free and the public will pass without paying toll. If you do not have a law that exempts from taxation, it will be possible for some community where a part of the bridge approaches are in that community to put such a tax on the bridge that the bridge can never be free. It would mean that the State or municipality that owns the bridge would have to take from its coffers taxes to pay the community across the river, or it would mean that they would have to continue tolls for the life of the taxes, to pay that little community that is sitting there trying to impose on the traveling public.

Mr. SPENCE. Mr. Speaker, will the gentleman yield?

Mr. O'NEAL of Kentucky. Yes.

Mr. SPENCE. Does not this act really declare legislatively as a fact what the Supreme Court has already held that an interstate bridge is an instrument of interstate commerce.

Mr. O'NEAL of Kentucky. Yes.

Mr. SPENCE. That an interstate bridge is an instrumentality of interstate commerce?

Mr. O'NEAL of Kentucky. The gentleman is correct.

Mr. CREAL. Mr. Speaker, considering the gigantic wealth of the State of Illinois, compared with the poor State of Kentucky, is it not rather poor sportsmanship to ask Kentucky citizens indirectly to upkeep the local government of the adjoining State?

Mr. O'NEAL of Kentucky. I agree with that viewpoint. I do not want to say that is the sentiment of all of the people of Illinois. This bill was considered in the last session by a House committee and reported favorably, as I recall unanimously, and also by a Senate committee of the Seventy-fourth Congress and by the Senate of the Seventy-fifth Congress, also the House committee of the Seventy-fifth Congress. It was not objected to by the official objectors when it was on the Consent Calendar. I do not think there was any objection from them. This matter has had thorough study, and has had the approval of the House and Senate, and that indicates that the subject has been gone into very carefully.

As to the President's veto, I would not be here today advocating this bill and ask you to pass it if I did not feel reasonably sure that this bill would not be vetoed. I have reason for thinking that. I know how it was vetoed in the Seventy-fourth Congress. I know that the matter has been presented to the President, and I know that he is desirous of seeing this bill again passed.

Mr. LUCAS. Mr. Speaker, is the gentleman now telling the House that the President of the United States will not veto this bill if it is passed?

Mr. O'NEAL of Kentucky. I have made my statement and I think it is clear that I do not believe the President will veto it.

Mr. LUCAS. Is the gentleman telling the House that he will not veto it, in view of his previous action?

Mr. O'NEAL of Kentucky. I think I have explained the matter sufficiently.

Mr. DONDERO. Is the gentleman satisfied that the Federal Government has a legal right to exempt real estate in any State that is used for a commercial enterprise?

Mr. O'NEAL of Kentucky. I may say to the gentleman that Federal buildings are exempt.

Mr. DONDERO. That is a Federal enterprise.

Mr. WADSWORTH. We own them.

Mr. O'NEAL of Kentucky. I do not believe the Supreme Court would uphold the proposition that an interstate bridge could be taxed by a local municipality.

Mr. DONDERO. The land on which a Federal building is built is, of course, property of the Federal Government and is exempt under our law, but I do not believe the Federal Government has the constitutional right to exempt real estate in any State when the land is used for commercial purposes. Is the gentleman satisfied the Government has that right?

Mr. O'NEAL of Kentucky. I do not admit that this is a commercial enterprise. The lower courts have held that a bridge and the approaches thereto serving interstate traffic is not subject to local taxation because it is an instrumentality of interstate commerce.

I hope you will vote unanimously for this bill.

[Here the gavel fell.]

The SPEAKER. The time of the gentleman from Kentucky has expired; all time has expired. The question is, Shall the rules be suspended and the bill be passed?

The question was taken; and two-thirds having voted in favor thereof, the rules were suspended, and the bill was passed.

A motion to reconsider was laid on the table.

CIVILIAN CONSERVATION CORPS

Mrs. NORTON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 3798) to amend the act entitled "An act to establish a Civilian Conservation Corps, and for other purposes", approved June 28, 1937.

The Clerk read the title of the bill.

Mr. SNELL. Mr. Speaker, reserving the right to object, will the chairman of the committee explain the bill briefly and whether it adds any expense?

Mrs. NORTON. I may say to the gentleman from New York that it does not add any expense.

Mr. SNELL. What are its purposes?

Mrs. NORTON. The purpose of the bill is to exempt enrollees in the Conservation Corps from Territories and insular possessions from making mandatory allotments to dependents. I may say that such exemption already applies to Indian enrollees on Indian Reservations. The same condition exists with reference to the Territories and insular possessions.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 9 of the act entitled "An act to establish a Civilian Conservation Corps, and for other purposes", approved June 28, 1937 (50 Stat. 319), is amended by inserting in the first proviso thereof, after the word "Indians", the following: "and enrollees in the Territories and insular possessions of the United States."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

UNITED STATES EMPLOYMENT SERVICE

Mrs. NORTON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 3516) to alter the ratio of appropriations to be apportioned to the States for public employment officers affiliated with the United States Employment Service.

The Clerk read the title of the bill.

Mr. SNELL. Mr. Speaker, reserving the right to object, will the chairman of the committee make a short statement relative to the bill so the House may understand exactly what it is acting upon?

Mrs. NORTON. I shall be pleased to do so.

Mr. Speaker, the original Wagner-Peyser Act establishing the United States Employment Service apportions the appropriations it receives so that 75 percent must be divided among the States and 25 percent to the Federal office. Until the

Social Security Act became effective this was quite sufficient, but since that time there has been so much more work thrown on this Service that it is now necessary to make a different apportionment. Since the Federal Security Act became effective, with its unemployment-insurance benefits, the United States Employment Service requires more money for its Federal office and less for the States; because in order to receive unemployment insurance, a person must have been registered with the United States Employment Service for a specified time. In other words, the Federal office has very much more work to do, and this work we expect will continue to increase. The bill does not increase the total of the appropriation; it merely gives the President the right to reapportion the allotments. The only effect of this bill is to remove the arbitrary ratio of 3 to 1 which now exists in the Wagner-Peyser Act. I think that explains the bill.

Mr. SCOTT. Mr. Speaker, will the gentlewoman yield?

Mrs. NORTON. I yield.

Mr. SCOTT. Does this in any way transfer the administration of the offices? Does it affect the administration as between the Federal administration and the State administration?

Mrs. NORTON. Not at all.

Mr. SCOTT. Does it not put the Service more under the control of the States?

Mrs. NORTON. Not in the least, and it does not increase the appropriation one cent. It merely gives the President the right to divide the appropriation more equitably.

Mr. SCOTT. So that the Federal Government would contribute more or the States more?

Mrs. NORTON. So that more money would be apportioned to the Federal office in order to make appropriations on the basis of the facts without the existing arbitrary limitation upon judgment and merit.

Mr. LUCAS. Mr. Speaker, will the gentlewoman yield?

Mrs. NORTON. I yield.

Mr. LUCAS. The question involves \$4,000,000 for administrative expenses. Under the present law \$3,000,000 goes to the States and \$1,000,000 to the Unemployment Service in the District of Columbia.

Mrs. NORTON. Yes.

Mr. LUCAS. The effect of the bill is to make the appropriations more flexible, giving the Washington office the right to make the distribution according to their own discretion.

Mrs. NORTON. The gentleman has stated it correctly.

Mr. LUCAS. The gentlewoman said there was more administrative work to do in Washington as a result of the Social Security Act. Is it not true that there is more work also in the State employment offices as a result of the Social Security Act?

Mrs. NORTON. I do not think so.

Mr. LUCAS. I disagree with the gentlewoman from New Jersey. Is it not a fact if this bill passes the agencies here in Washington, if they so desire, can take any amount of that \$4,000,000 for Federal administration expenses?

Mrs. NORTON. Oh, no. No State will receive less than \$10,000, of course, contingent on an equal appropriation by the State.

Mr. LUCAS. No State will receive less than \$10,000, but insofar as the 75 percent is concerned that is out of the picture?

Mrs. NORTON. It leaves it in the discretion of the President.

Mr. LUCAS. It leaves it discretionary with him as to how much money any particular State shall receive? And I do not want claimants to receive less than the previous distribution, as it will seriously disturb the efficiency of the State administration machinery.

Mrs. NORTON. But not less than \$10,000.

Mr. LUCAS. Mr. Speaker, I object.

RELIEF OF CERTAIN ALIENS

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent for the present consideration of House Joint Resolution 714.

The Clerk read the title of the House joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. SNELL. Mr. Speaker, reserving the right to object, may we have an explanation?

Mr. DICKSTEIN. Mr. Speaker, this is similar to a request made yesterday, but the gentleman who objected told me he has no objection. He did not understand that this only affects a limited number temporarily and affects those with respect to whom we have reported out bills and those included in omnibus bills which are now on the calendar but cannot be brought up for consideration before the House.

Mr. SNELL. This does not set any precedent?

Mr. DICKSTEIN. Not at all.

Mr. SNELL. We are not going to continue putting through bills exempting people who should be deported?

Mr. DICKSTEIN. No; this just affects a handful of cases which we have favorably considered.

Mr. SNELL. I will join with the gentleman this time.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There being no objection, the Clerk read the House joint resolution, as follows:

Resolved, etc., That the Secretary of Labor is authorized and directed to continue in force the stay of deportation in the case of each alien for whose relief a bill or joint resolution, providing for the cancellation of the warrant of arrest and order of deportation in his case, is, on June 8, 1938, pending before the Senate Committee on Immigration or before the House Committee on Immigration and Naturalization or is pending on either the Senate Calendar or House Calendar; but such stay shall not be effective during the Seventy-sixth Congress unless a bill or joint resolution for the relief of such alien is introduced prior to March 1, 1939.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDMENT OF SECTION 4197 OF THE REVISED STATUTES AS AMENDED

Mr. BLAND. Mr. Speaker, I offer a joint resolution and ask unanimous consent consideration for its consideration, House Joint Resolution 723, to amend H. R. 10672, Seventy-fifth Congress, third session, entitled "An act to amend section 4197 of the Revised Statutes, as amended (U. S. C., 1934 ed., title 46, sec. 91), and section 4200 of the Revised Statutes (U. S. C., 1934 ed., title 46, sec. 92), and for other purposes," so as to correct a typographical error.

The Clerk read the title to the joint resolution.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

Mr. BLAND. Mr. Speaker, I may say that where a period appeared in the bill we passed the other day there should have been a comma. It may be that in an interpretation of this act some question may arise and in order to correct the matter, this changes a period to a comma.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

There being no objection, the Clerk read the joint resolution, as follows:

Resolved, etc., That section 2 of H. R. 10672, Seventy-fifth Congress, third session, entitled "An act to amend section 4197 of the Revised Statutes, as amended (U. S. C., 1934 ed., title 46, sec. 91), and section 4200 of the Revised Statutes (U. S. C., 1934 ed., title 46, sec. 92), and for other purposes," be amended by striking out the first period in the proviso in said section, and by changing the capital "U" in the word "upon" to a small "u," so that the said proviso will read as follows:

Provided, That in order that the commerce of the United States may move with expedition and without undue delay, the Secretary of Commerce is hereby authorized to make regulations permitting the clearance of a vessel having on board cargo destined to a foreign port or to a port in noncontiguous territory belonging to the United States, before delivery to the collector of customs of shippers' manifests or export declarations of the cargo laden on board, upon receipt by the collector of a bond with security approved by him in the penal sum of \$1,000, conditioned that the complete shippers' manifests or export declarations of all cargo laden aboard such vessel shall be filed with him not later than the fourth business day after the clearance of the

vessel. In the event that all of the shippers' manifests or export declarations are not filed as required by the provisions of this section and the regulations made by the Secretary of Commerce in pursuance hereof, then a penalty of \$50 for each day's delinquency beyond the allowed period of 4 days for filing all of the shippers' manifests or export declarations shall be exacted, and if all of the shippers' manifests or export declarations are not filed within the 3 days following the 4-day period, then for each succeeding day of delinquency, a penalty of \$100 shall be exacted. Suit may be instituted in the name of the United States against the principal and surety on the bond for the recovery of any penalties that may accrue and be exacted in accordance with the terms of the bond."

The joint resolution was agreed to, and a motion to reconsider was laid on the table.

COINAGE OF 50-CENT PIECES IN COMMEMORATION OF FOUR HUNDREDTH ANNIVERSARY OF JOURNEY OF FRANCISCO VASQUEZ DE CORONADO

Mr. PARSONS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 2734) to authorize the coinage of 50-cent pieces in commemoration of the four hundredth anniversary of the journey and explorations of Francisco Vasquez de Coronado.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in commemoration of the four-hundredth anniversary of the journey and explorations of Francisco Vasquez de Coronado there shall be coined at a mint of the United States to be designated by the Director of the Mint not to exceed 100,000 silver 50-cent pieces of standard size, weight, and composition, and of a special appropriate single design to be fixed by the Director of the Mint, with the approval of the Secretary of the Treasury, but the United States shall not be subject to the expense of making the necessary dies and other preparations for this coinage.

SEC. 2. The coins herein authorized shall bear the date 1940, irrespective of the year in which they are minted or issued, shall be legal tender in any payment to the amount of their face value, and shall be issued only upon the request of the chairman or secretary of the Coronado Cuarto Centennial Corporation upon payment by him of the par value of such coins. Such coins may be disposed of at par value or at a premium by such committee and the net proceeds shall be used by it in defraying the expenses incidental and appropriate to the commemoration of such event.

SEC. 3. All laws now in force relating to the subsidiary silver coins of the United States and the coining or striking of the same, regulating and guarding the process of coinage, providing for the purchase of material and for the transportation, distribution, and redemption of coins, for the prevention of debasement or counterfeiting, for the security of the coins, or for any other purposes whether such laws are penal or otherwise, shall, so far as applicable, apply to the coinage herein authorized.

With the following committee amendments:

Page 2, line 9, strike out the period, insert a comma and the following: "But not less than 25,000 such coins shall be issued to the corporation at any one time and no such coins shall be issued after December 31, 1940."

Page 2, line 10, strike out "committee" and insert the word "corporation."

The Committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

OLYMPIC NATIONAL PARK, WASH.

Mr. DEROUEN. Mr. Speaker, I call up the conference report on the bill (H. R. 10024) to establish the Olympic National Park, in the State of Washington, and for other purposes.

The Clerk read the conference report and statement, as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10024) having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate numbered 1.

That the House recede from its disagreement to the amendment of the Senate numbered 2.

That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment, insert the following:

"The President may after 8 months from the approval of this act by proclamation add to the Olympic National Park any lands within the boundaries of the Olympic National Forest, and any lands which may be acquired by the Government by gift or purchase, which he may deem it advisable to add to such park; and any lands so added to such park shall, upon their addition thereto, become subject to all laws and regulations applicable to other lands within such park: *Provided*, That the total area to be added to the said park shall not exceed 898,292 acres: *Provided further*, That before issuing any such proclamation, the President shall consult with the Governor of the State of Washington, the Secretary of the Interior, and the Secretary of Agriculture and advise them of the lands which he proposes to add to such park, and shall afford them a reasonable opportunity to consult with and communicate to him their views and recommendations with respect to the addition of such lands to such park."

And the Senate agree to the same.

RENÉ L. DEROUEN,
J. W. ROBINSON,
F. L. CRAWFORD,
HARRY L. ENGLEBRIGHT,
KNUTE HILL,

Managers on the part of the House.

ALVA B. ADAMS,
KEY PITTMAN,
CARL HATCH,
JOSEPH O'MAHONEY,

Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10024) to establish the Olympic National Park, in the State of Washington, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report:

On amendment No. 1: This strikes all after the word "wit", page 7, line 6, down to and including "(surveyed)" in line 18, page 5, and revises the boundaries of the area sought to be included in the park.

On amendment No. 2: This strikes all after the word "Forest", page 7, line 12, down to and including "Park" in line 16, which contained provision eliminating certain portion of the Olympic National Forest from the park area.

On amendment No. 3: This prohibits the President from adding by proclamation any lands to the Olympic National Park until 8 months after the approval of this act and restricts the acreage to be included in the park to 898,292 acres, being the same acreage contained in the bill as passed by the House.

RENÉ L. DEROUEN,
J. W. ROBINSON,
F. L. CRAWFORD,
HARRY L. ENGLEBRIGHT,
KNUTE HILL,

Managers on the part of the House.

The conference report was agreed to, and a motion to reconsider was laid on the table.

ORDER OF BUSINESS

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that it may be in order at this time to call the individual bills on the Private Calendar, and following that to call the bills on the Consent Calendar.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. SNELL. Mr. Speaker, reserving the right to object, I would like to make a suggestion to the majority leader that the Senate bills on the Private Calendar be called first for the reason I doubt that the Senate will take up any private bills we may pass at this late hour.

Mr. RAYBURN. Mr. Speaker, I think practically all of them are Senate bills. I think the suggestion made by the gentleman is a wise one and I will include that in my unanimous-consent request.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. EBERHARTER. Mr. Speaker, reserving the right to object, the last time the bills on the Consent Calendar were before the House for consideration there was a very important measure called up. There were quite a few Members who were determined to object to that particular measure.

It appears that yesterday in an unguarded moment someone called up that bill. I want to register my protest, because the particular bill involved what I consider one of the fundamental principles upon which this democracy rests. That is the right of the American citizen to be free in his home and secure from unreasonable searches and seizures.

This particular bill to which I refer gives the Department of Justice the right to tap telephone wires and to go into the private homes of any American citizen of whom they are suspicious, including a Congressman or anyone else.

Mr. Speaker, I believe the calling up and passage of that particular measure was a violation of the accepted practice in this House and I register my protest. If there is anything the Seventy-fifth Congress should be ashamed of, it is that action of the House.

I wonder if the gentleman can give me any assurance that any measure that is objected to on the Consent Calendar today will not be brought up in the same manner as this particular measure?

Mr. RAYBURN. I cannot answer the gentleman's inquiry. Recognition for unanimous consent requests and for suspensions is a matter entirely in the hands of the Speaker.

Mr. EBERHARTER. I also understand that the official objectors were not notified that this very important matter was being brought up at that time.

Mr. O'CONNOR of New York. Mr. Speaker, will the gentleman yield?

Mr. EBERHARTER. I yield to the gentleman from New York.

Mr. O'CONNOR of New York. I was here, and, as I understand, the bill was not brought up under unanimous consent. If I had thought it was being brought up under unanimous consent I would have objected to its consideration, because in the debate yesterday I pronounced wire-tapping the most fundamental interference with the rights of our people that I have ever seen in Congress. I agree thoroughly with the gentleman. I do not believe the President could sign such a bill. The measure never should have been brought up here. It was not brought up under unanimous consent, or, if it was, I was not aware of it, because its consideration would have been stopped by many a Member here. The gentleman must not have the idea the bill was slipped in here.

Mr. EBERHARTER. A remark made by one of the objectors yesterday gave me the impression that the bill was put through by unanimous consent and the objectors were not notified. I have not searched the RECORD and I do not know exactly how the bill was brought up or in what manner it was passed, but I believe a very fair proportion of the membership of the House would like to have an important measure like that debated, and not brought up in the closing days of the session and rushed through.

Mr. CELLER. Mr. Speaker, will the gentleman yield?

Mr. EBERHARTER. I yield to the gentleman from New York.

Mr. CELLER. We in New York are having a constitutional convention for the revision of the Constitution of the State of New York. Efforts are now being made to lodge in the Constitution of the State of New York an absolute prohibition against the tapping of telephonic communications. I heartily endorse what the gentleman says. We do ill to the Nation by allowing to pass through this House without let or hindrance a provision which would allow an official of any department, merely with the consent of the head of the Bureau, to tap wires. It undoubtedly is an interference with the rights of the people. If it is possible, we should recall the bill we passed yesterday in order to afford an opportunity for the House at least to debate the measure. I do believe the leadership of the House ought to take some steps in that regard to remedy the evil we did yesterday.

The SPEAKER. In view of what has been said on the floor in reference to this matter, the Chair, apart from the usual practice with reference to criticism of which bills are brought up, will state that the RECORD will show that the

gentleman from Pennsylvania [Mr. QUINN] asked unanimous consent for the present consideration of the bill now in controversy. There was a reservation of objection by some Member on the minority side, and the purport of the bill was explained, as the Chair recalls it, by the gentleman from Pennsylvania [Mr. QUINN]. There was nothing unusual or extraordinary in the Chair's recognizing a Member for a unanimous-consent request upon a bill that had been reported favorably by the Committee on Interstate and Foreign Commerce. The Chair is sure the Record will disclose the facts the Chair has stated are correct.

Mr. RICH. Reserving the right to object, Mr. Speaker, the gentleman from Pennsylvania [Mr. EBERHARTER] is certainly doing a great service in asking whether bills on the Consent Calendar which are objected to, if they are objected to, are to be permitted to be brought up by unanimous consent. I think we ought to know something about that, so we shall not have to keep our ears cocked all the time to find out whether some of the bills that have been objected to are permitted to be brought up by unanimous consent.

Mr. WOLCOTT. Mr. Speaker, will the gentleman yield?

Mr. RICH. I yield to the gentleman from Michigan.

Mr. WOLCOTT. Mr. Speaker, I wish to make a unanimous-consent request.

The SPEAKER. A unanimous-consent request is still pending, the request of the gentleman from Texas.

Mr. EBERHARTER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. EBERHARTER. My inquiry is whether or not the Speaker would recognize me for the purpose of making a motion that the House request the Senate to return that bill to the House.

The SPEAKER. The Chair is not in position to give an answer to that inquiry.

Mr. WOLCOTT. Reserving the right to object, Mr. Speaker, is it possible for the House to take this action, that somebody ask unanimous consent that the action taken by the House be rescinded and that the affixing of the signature of the Speaker on the bill be reconsidered?

The SPEAKER. The bill is still pending in the Senate.

Mr. RAYBURN. Mr. Speaker, I demand the regular order.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. RICH. Mr. Speaker, we have not been informed by the Chair whether bills on the Consent Calendar that are objected to are going to be permitted to be brought up by unanimous consent.

Mr. RAYBURN. I do not believe that is a fair request to make of the Speaker. The Speaker might recognize a Member to move to suspend the rules, despite the fact that some one Member had knocked the bill off the Consent Calendar.

Mr. RICH. May I ask the majority leader if some arrangements cannot be made by the majority leader so we may know whether or not such bills are going to be brought up again?

Mr. SNELL. As I understood the gentleman's request it only referred to the Private Calendar?

Mr. RAYBURN. No; following that the Consent Calendar was to be considered. They were both embraced in the same request.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

PROHIBITION OF USE OF COMMUNICATION FACILITIES FOR CRIMINAL PURPOSES

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that the proceedings by which the bill (S. 3756) to prohibit the use of communication facilities for criminal purposes, passed the House on the calendar day of yesterday be vacated and that the Senate be requested to return the bill to the House.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

Mr. PEARSON. Mr. Speaker, reserving the right to object, is that the bill that has just been under discussion with reference to wire tapping?

Mr. WOLCOTT. Yes.

Mr. PEARSON. Mr. Speaker, further reserving the right to object, this measure was thoroughly considered by the Committee on Interstate and Foreign Commerce. There is not anything in this bill which would result in the invasion of the rights of the home of any American citizen who is observing the law. The act was intended, and is so worded, as to protect the homes of American citizens from men who might invade them for unlawful purposes. Under existing law the organized underworld is at full liberty to make unrestricted use of wire and radio facilities of the Nation to carry on their rackets and schemes. This measure will put a stop to such practices.

It is a salutary measure, a measure which should be upon the statute books for the protection of American homes.

In addition to murderers and others there are counterfeiters and gangs operating nationally and internationally in the smuggling and disposition of narcotic drugs and other contraband, as well as gangs engaged in kidnaping, violating the internal-revenue laws, and racketeers of high and low degree who are now at liberty to plan and carry out their schemes through the use of wire- and radio-communication facilities of the Nation without fear of detection by the interception of their communications, or punishment based on evidence secured by that means. In this connection it should not be overlooked that the prohibition against interception of communications applies to officers of the Secret Service of the United States, an agency of the Treasury Department, charged with responsibility for the safety of the President. Such officers are forbidden today under the interpretation of section 605 in the Nardone decision, to intercept any communications, even if in possession of the most reliable information of a plot to harm the President. Obviously, in such a situation the officers of the Secret Service should have authority to intercept communications of suspected persons.

Of course, any person not an officer of the Government, or an officer in the absence of proper certification, who unlawfully intercepts or uses a communication, would be subject to the penalties prescribed in section 501 of the Communications Act. That section provides that violations of the Communications Act shall be punished by a fine of not more than \$10,000 or by imprisonment for a term of not more than 2 years, or both.

The enactment of this bill is desired and recommended by all Departments and agencies of the Federal Government engaged in law-enforcement activities. In addition, your committee is advised that the legislation is not in conflict with the program of the President.

I am constrained to object to the gentleman's request.

Mr. CELLER. Mr. Speaker, will the gentleman withhold his objection a moment?

Mr. PEARSON. I yield.

Mr. CELLER. Does not that bill run counter to the forthright and most illuminating opinion rendered by the Supreme Court on the rights of the private citizen to be kept intact and free from molestation by wire tapping?

Mr. PEARSON. I do not think so.

Mr. CELLER. Would it not also endanger the rights of innocent people as well as those who might be guilty of infractions of a statute?

Mr. PEARSON. No; because the act itself contains provisions which will protect them.

Mr. CELLER. What remedy has a private citizen in the event somebody does tap his telephone wire and he is innocent of any violation of the law?

Mr. PEARSON. The act provides that those who are given the privilege shall violate the law themselves in the

event they use the information which they receive for any purpose other than the purpose set out in the act itself, and they become criminally liable for such violation.

Mr. CELLER. How do we know the individual uses the information for that purpose? He may so disguise his actions as to escape detection. We have had great difficulty in my own State in this regard when the privileges accorded to the police and detective bureaus were greatly abused and the citizenry in New York suffered immeasurably thereby, and I am sure that that experience has been duplicated in many States, and I wonder if the gentleman will not withhold his objection so we may have at least an opportunity to debate the question in the House?

Mr. PEARSON. I object, Mr. Speaker.

Mr. EBERHARTER. Mr. Speaker, will the gentleman withhold his objection a moment?

Mr. PEARSON. Yes.

Mr. EBERHARTER. Does not the gentleman think this is a very important measure and one that every Member of the House is interested in and also one in which the entire American public, as well as the Department of Justice, and the enforcement officers are interested in? I do not believe the matter was discussed on the floor of the House.

Mr. PEARSON. Mr. Speaker, the measure was called up and was discussed.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

Mr. PEARSON. I object, Mr. Speaker.

Mr. WOLCOTT. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WOLCOTT. I would like to ask the Speaker whether it is in order, subject to being recognized for that purpose, today, this being the same legislative day as yesterday, calendar day, to move to take from the Speaker's table the motion to reconsider this bill?

The SPEAKER. That motion would not be in order, because upon yesterday a motion to reconsider the action of the House was laid upon the table.

Mr. WOLCOTT. My inquiry was whether such a motion would be in order?

The SPEAKER. The only way to reach this matter, as the Chair understands it, is by unanimous consent.

Mr. CELLER. Mr. Speaker, I ask unanimous consent to address the House for one-half minute.

Mr. RAYBURN. No, Mr. Speaker; I demand the regular order.

THE PRIVATE CALENDAR

The SPEAKER. The Clerk will call the first Senate bill on the Private Calendar.

WILLIAM SERVER RHODES

The Clerk called the bill (S. 3171) for the relief of William Server Rhodes, chief boatswain's mate, United States Navy, retired.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding the provisions of section 2 of the act approved May 23, 1930 (46 Stat. 375; U. S. C., title 34, sec. 790), William Server Rhodes, chief boatswain's mate, United States Navy, retired, shall be held and considered to have completed 30 years' service, including naval service, time in the Fleet Naval Reserve, and double time for Spanish-American War service from April 21, 1898, to April 11, 1899, for the purpose of transfer to the retired list of the United States Navy, on December 8, 1936, and the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said William Server Rhodes the sum of \$184.25, which sum represents allowances at \$15.75 per month, covering the period from December 8, 1936, to November 29, 1937, authorized by existing law (U. S. C., title 34, sec. 431) to be paid to enlisted men upon transfer to the retired list of the Navy upon completion of 30 years' service.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DAVID C. BUSCALL

The Clerk called the bill (S. 3810) to extend to Chief Quartermaster Clerk David C. Buscall, United States Marine

Corps (retired), the benefits of the act of May 7, 1932, providing highest World War rank to retired warrant officers.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That Chief Quartermaster Clerk David C. Buscall, United States Marine Corps, retired, is hereby placed on the retired list of the United States Marine Corps with the rank of captain: *Provided further,* That no increase in active or retired pay or allowances shall result from the passage of this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

GEORGE HENRY LEVINS

The Clerk called the bill (S. 3064) for the relief of George Henry Levins.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, at anytime within 1 year after the date of enactment of this act, George Henry Levins (U. S. Department of Labor file No. 23-30675), of Cambridge, Mass., who filed a declaration of intention to become a citizen of the United States in the District Court of the United States at Boston, Mass., in December 1917, but who failed to take such further action as was required to enable him to become a citizen of the United States because of erroneous advice given to him by an official of the United States, may be naturalized as a citizen of the United States by taking the oath of allegiance in the manner prescribed in the naturalization laws before any court having jurisdiction of the naturalization of aliens.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

VERNICE MAY M'BROOM

The Clerk called the bill (S. 2090) authorizing the naturalization of Vernice May McBroom, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of Labor is authorized and directed to permit Vernice May McBroom, a native-born citizen of the United States, who involuntarily lost her citizenship during her minority by reason of the naturalization of her father as a citizen of Canada, to remain in the United States.

Sec. 2. Notwithstanding any other provision of law, said Vernice May McBroom may be naturalized as a citizen of the United States by filing a declaration of intention and taking the oath of allegiance in the manner prescribed in the naturalization laws before any court having jurisdiction of the naturalization of aliens.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

ALBIN H. YOUNGQUIST

The Clerk called the bill (S. 3633) authorizing the naturalization of Albin H. Youngquist, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the immigration laws Albin H. Youngquist, a native-born citizen of the United States who involuntarily lost his citizenship at the age of 5 years by reason of the naturalization of his father as a citizen of Canada, shall be held and considered to have been legally admitted to the United States for permanent residence.

Sec. 2. Notwithstanding any other provision of law, said Albin H. Youngquist may be naturalized as a citizen of the United States by filing a declaration of intention and taking the oath of allegiance in the manner prescribed in the naturalization laws before any court having jurisdiction of the naturalization of aliens.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A. PRITZKER & SONS, INC.

The Clerk called the bill (S. 2412) for the relief of A. Pritzker & Sons, Inc.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to A. Pritzker & Sons, Inc., of Boston, Mass., the sum of \$2,951.48 in full satisfaction of its claim against the United States for an adjustment in the price of 3,973 coats delivered by it to the United States under a contract No. I-1-ind-6702, dated June 30, 1933, the cost of manufacturing such coats having been increased after the contract was entered into because of changes in costs of materials, hours of labor, and rates of pay resulting from the provisions of the National Industrial Recovery

Act: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JAMES A. ELLSWORTH

The Clerk called the bill (S. 2702) for the relief of James A. Ellsworth.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the provisions and limitations of sections 15 to 20, both inclusive, of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended, are hereby waived in the case of James A. Ellsworth, of Brooklyn, N. Y., and the United States Employees' Compensation Commission is authorized and directed to consider and act upon any claim for benefits filed under the provisions of such act, as amended, within 1 year after the date of enactment of this act, by the said James A. Ellsworth on account of injuries alleged to have been incurred by him on January 8, 1933, while he was employed at the United States naval magazine at Fort Lafayette, N. Y.: *Provided*, That no benefits shall accrue prior to the enactment of this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

THOMAS H. ECKFELDT

The Clerk called the bill (S. 3062) for the relief of Thomas H. Eckfeldt.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Thomas H. Eckfeldt, of Fitchburg, Mass., the sum of \$3,684.85 in full satisfaction of his claim against the United States for damages resulting from injuries sustained by him when the automobile in which he was riding as a passenger collided with a National Park Service truck, operated by Philip W. Mathieu, an enrollee in the Civilian Conservation Corps, in Princeton Road, in Westminster, Mass., on February 21, 1936: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with such claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with such claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

ALICE MINNICK

The Clerk called the bill (S. 3251) for the relief of Alice Minnick.

Mr. COSTELLO and Mr. HANCOCK of New York objected and the bill was recommitted to the Committee on Claims.

ESTATE OF REXFORD M. SMITH

The Clerk called the next bill, S. 3405, conferring jurisdiction upon the Court of Claims of the United States to hear, examine, adjudicate, and render judgment on the claim of the legal representative of the estate of Rexford M. Smith.

Mr. COSTELLO and Mr. HANCOCK of New York objected, and, under the rule, the bill was recommitted to the Committee on Claims.

LOFTS & SON

The Clerk called the next bill, S. 3682, for the relief of Lofts & Son.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Lofts & Son, of

Hood River, Oreg., the sum of \$33,500 in full satisfaction of all its claims against the United States for damages resulting from the loss of its sand and gravel plant at the mouth of the Hood River and its inability to further carry on the operations of removing sand and gravel on land now leased from the Oregon Lumber Co., because such land will be flooded by the backwaters of the Bonneville Dam: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with such claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with such claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOHN HASLAM

The Clerk called the next bill, S. 3817, for the relief of John Haslam.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John Haslam, Fort Totten, N. Dak., the sum of \$403.89. The payment of such sum shall be in full settlement of all claims of the said John Haslam against the United States for reimbursement for caskets, furnished by him at the request of officers of the United States, for the burial of certain Indians: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WILLIAM C. WILLAHAN

The Clerk called the next bill, S. 3830, for the relief of William C. Willahan.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Comptroller General of the United States be, and he is hereby, authorized and directed to allow credit in the accounts of William C. Willahan, as superintendent and special disbursing agent at the Sisseton Indian Agency, Sisseton, S. Dak., in the amount of \$3,384.28 representing disallowances in the accounts of William C. Willahan because of the embezzlement of funds by a subordinate employee.

Sec. 2. The Secretary of the Treasury is hereby authorized and directed to pay to William C. Willahan the sum of \$421.65, representing amounts withheld from him in the settlement of charges made against his accounts by reason of disallowances in settlement No. F-24532-IN, dated July 14, 1934.

Sec. 3. The Secretary of the Treasury is hereby authorized and directed to pay to William C. Willahan not to exceed the sum of \$292.89, which amount is alleged to have been deposited in the Treasury from personal funds by the said William C. Willahan to replace losses of Federal funds and the overpayment of an employee's salary: *Provided*, That before any payment is made under this section the said William C. Willahan shall furnish to the Secretary of the Interior authenticated records of the actual deposits alleged to have been made, and any other supporting information that may be required by the said Secretary of the Interior.

Sec. 4. The Secretary of the Treasury is hereby authorized and directed to credit the official trust fund account of William C. Smith, superintendent of the Sisseton Indian Agency, with the sum of \$140.69, of which the sum of \$120.69 will thereafter be deposited to the credit of the United States in lieu of repayments by sundry Indians on account of sales of reimbursable property, and the sum of \$20 will be credited on the books of the Sisseton Indian Agency as individual Indian money for the use and benefit of the estate of Wlynkpawin, deceased Sisseton Indian.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COMPENSATE ENLISTED MEN OF NAVY FOR FIRE LOSS

The Clerk called the next bill, S. 3891, to provide for the reimbursement of certain enlisted men of the Navy for the

value of personal effects lost in a fire at the Naval Air Station, Hampton Roads, Va., May 15, 1936.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, such sum or sums, amounting in the aggregate not to exceed \$86.45, as may be required by the Secretary of the Navy to reimburse, under such regulations as he may prescribe, certain enlisted men of the United States Navy for the value of personal effects lost in a fire at the Naval Air Station, Hampton Roads, Va., on May 15, 1936: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claims. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claims, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REMILJO ORTIZ

The Clerk called the next bill, S. 3921, for the relief of Remiljo Ortiz.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$500 to Remiljo Ortiz, in full settlement of his claim for compensation for the loss of private claim No. 82, parcel 1, Cochiti Pueblo Grant, New Mexico: *Provided,* That no payment shall be made until certification by the Secretary of the Interior that the claimant has entered into an agreement satisfactory to the Secretary of the Interior to vacate the lands within private claim No. 82, parcel 1, Cochiti Pueblo Grant, within a period to be specified in said agreement after payment shall have been made.

With the following committee amendments:

In line 5, strike out the figures "\$500" and insert "\$150."

In line 5, after the name "Ortiz", insert "of Nambe, N. Mex."

In line 6, after the word "claim", insert "against the United States."

At the end of the bill, add: "*Provided further,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

IDA MAY SWARTZ

The Clerk called the next bill, S. 4005, for the relief of Ida May Swartz.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Ida May Swartz, of Elko, Nev., the sum of \$40.45, in full satisfaction of her claim against the United States for services rendered as United States commissioner in the district of Nevada, for the quarter beginning September 1, 1937, and ending November 30, 1937, for which services she has received no compensation.

Sec. 2. For the purpose of determining the amount of compensation to which said Ida May Swartz is entitled for any services rendered by her as United States commissioner in the district of Nevada during the quarter beginning December 1, 1937, and ending February 28, 1938, said Ida May Swartz shall be deemed to have been reappointed as United States commissioner in the district of Nevada, effective September 8, 1937.

Sec. 3. No part of any sum paid to said Ida May Swartz by reason of the enactment of this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with the claim of said Ida May Swartz for compensation for services rendered by her

as United States commissioner in the district of Nevada. Any person violating any provision of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WATERTON OIL, LAND & POWER CO., BUTTE, MONT.

The Clerk called the next bill, S. 190, to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of the Waterton Oil, Land & Power Co., of Butte, Mont., against the United States.

Mr. HANCOCK of New York and Mr. COSTELLO objected, and, under the rule, the bill was recommitted to the Committee on the Public Lands.

The SPEAKER. The Clerk will call the House bills on the Private Calendar.

C. R. HENDERSON

The Clerk called the next bill, H. R. 8318, for the relief of C. R. Henderson.

Mr. HANCOCK of New York and Mr. COSTELLO objected, and, under the rule, the bill was recommitted to the Committee on Claims.

ADJUSTING LINEAL POSITIONS ON THE NAVY LIST

The Clerk called the next bill, H. R. 10659, to adjust the lineal positions on the Navy list of certain officers of the Supply Corps of the United States Navy.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the President is hereby authorized to assign to Lt. (Jr. Gr.) Hugle Lee Foote, Jr., Supply Corps, United States Navy; Lt. (Jr. Gr.) Alfred Thomas Magnell, Supply Corps, United States Navy; Lt. (Jr. Gr.) Donald Orr Lacey, Supply Corps, United States Navy; Lt. (Jr. Gr.) Howard Troutman Bierer, Supply Corps, United States Navy; and Lt. (Jr. Gr.) Francis L. Blakelock, Supply Corps, United States Navy, such running mates in the line of the Navy as the said officers would have on the date of approval of this act had they been originally commissioned in the Supply Corps of the United States Navy upon their graduation from the United States Naval Academy: *Provided,* That no back pay or allowances shall be held to have accrued prior to the date of approval of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GIUSEPPE QUERCIA

The Clerk called the next bill, H. R. 9729, for the relief of Giuseppe Quercia.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of Labor is hereby authorized and directed to cancel the outstanding order and warrant of deportation in the case of Giuseppe Quercia, any provision of existing law to the contrary notwithstanding. From and after the date of the approval of this act, Giuseppe Quercia shall not again be subject to deportation by reason of the same fact upon which the outstanding proceedings rest.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CANCELATION OF DEPORTATION PROCEEDINGS IN THE CASE OF APOSTOLOS VASIL PERCAS

The Clerk called the next bill, H. R. 6754, to authorize the cancellation of deportation proceedings in the case of Apostolos Vasili Percas.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of Labor is hereby authorized and directed to cancel the outstanding order and warrant of deportation issued pursuant to sections 19 and 20 of the Immigration Act of February 5, 1917 (39 Stat. 889, 890; U. S. C., title 8, secs. 155 and 156), in the case of Apostolos Vasili Percas, any provision of existing law to the contrary notwithstanding. From and after the date of the approval of this act, Apostolos Vasili Percas shall not again be subject to deportation by reason of the same fact upon which the outstanding proceedings rest.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARSHALL CAMPBELL AND RAYMOND O'NEAL

The Clerk called the next bill, H. R. 10895, to amend an act of Congress approved August 16, 1937, relating to death damage claims in the cases of Marshall Campbell and Raymond O'Neal.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 1 of the act of Congress entitled "An act conferring jurisdiction upon the United States District Court for the Middle District of Georgia to hear, determine, and render judgment upon the claims of the estates of Marshall Campbell and Raymond O'Neal," approved August 16, 1937, is hereby amended to read as follows:

"That jurisdiction is hereby conferred upon the United States District Court for the Middle District of Georgia to hear, determine, and render judgment, as if the United States were suable in tort, upon the claims of Hattie Giles Campbell, the mother of Marshall Campbell, and Echelle O'Neal, the mother of Raymond O'Neal, of Greene County, Ga., for damages resulting from the deaths of said Marshall Campbell and Raymond O'Neal by reason of an automobile collision involving a Civilian Conservation Corps truck on August 30, 1935, on the highway between Greensboro and Union Point, Ga.: *Provided*, That the suits filed, prior to the enactment of this amendatory proviso, in said district court by the respective mothers and the respective administrators of the estates of the said deceased persons may continue and be maintained by the said respective mothers: *Provided further*, That in the case of the death of either mother before final judgment in her suit, such suit may continue and be maintained by the administrator of the estate of such mother who shall be substituted as plaintiff in her stead: *Provided further*, That the measure of damages to govern in said suits shall be the same as is provided and authorized by the laws of the State of Georgia in the case of a suit by a mother for the homicide of a child: *Provided further*, That the judgment, if any, shall not exceed, in the case of the said mother of Marshall Campbell, \$5,000; and in the case of the said mother of Raymond O'Neal, \$5,000."

SEC. 2. The title of such act of August 16, 1937, is hereby amended to read as follows: "An act conferring jurisdiction upon the United States District Court for the Middle District of Georgia to hear, determine, and render judgment upon the claims for damages on account of the deaths of Marshall Campbell and Raymond O'Neal."

With the following committee amendment:

Page 1, line 8, after the date "August 16, 1937", insert "(Private Act No. 300, 75th Cong.)."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill to amend the act approved August 16, 1937, entitled 'An act conferring jurisdiction upon the United States District Court for the Middle District of Georgia to hear, determine, and render judgment upon the claims of the estates of Marshall Campbell and Raymond O'Neal.'"

A motion to reconsider was laid on the table.

AMERICAN NATIONAL BANK OF KALAMAZOO, MICH.

The Clerk called the next bill, H. R. 10527, for the relief of the American National Bank of Kalamazoo, Mich.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the American National Bank of Kalamazoo, Mich., the sum of \$1,255, in full satisfaction of its claim against the United States resulting from the issuance of certain fraudulent United States postal money orders in 1936 by Fred S. Hall, a former postmaster at East Leroy, Mich.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be engrossed and read a third time, was read a third time and passed, and a motion to reconsider was laid on the table.

INTERNATIONAL OIL CO.

The Clerk called the next bill, H. R. 10180, for the relief of the International Oil Co., of Minot, N. Dak.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent that the Senate bill, S. 3781, may be substituted for the House bill.

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the International Oil Co., of Minot, N. Dak., the sum of \$47, representing the net proceeds of check No. 343572 in the amount of \$66, drawn November 16, 1934, to the order of Anne Erlandson, International Harvester Co. of America, Westlie-Nordbye Co., and Governor, Farm Credit Administration, under symbol No. 78-240 of John R. Elliott, after deducting \$5 due the United States by Anne Erlandson and \$14 due the Westlie-Nordbye Co. The amount so paid to the International Oil Co. shall be in full settlement of its claim against the United States for money withheld to apply against an alleged indebtedness of the International Oil Co. to the United States because of payments made on vouchers 591 and 638 in the amounts of \$283.61 and \$107.06, June 1933 accounts of Halle D. McCullough, former disbursing officer of the Fort Berthold Indian Agency, N. Dak.

SEC. 2. To carry into effect the purpose of the act of July 16, 1937 (Private, No. 240, 75th Cong.), the Comptroller General of the United States is hereby authorized and directed to release the said International Oil Co. from further liability for the repayment of the amounts heretofore paid to it on vouchers 591 and 638, referred to in the first section of this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H. R. 10180) was laid on the table.

WISCONSIN BRIDGE & IRON CO.

The Clerk called the next bill, H. R. 10497, conferring jurisdiction upon the Court of Claims of the United States to hear, determine, and render judgment upon the claim of the Wisconsin Bridge & Iron Co.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER. Without objection, a similar Senate bill (S. 3937) will be substituted for the House bill.

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That jurisdiction is hereby conferred upon the Court of Claims of the United States to hear, determine, and render judgment upon the claim of the Wisconsin Bridge & Iron Co., of Milwaukee, Wis., arising out of contract No. ER-W6-97 eng. 23, dated December 14, 1935, for the reconstruction of three highway bridges over the Chesapeake and Delaware Canal, for damages alleged to be the result of misrepresentations contained in the specifications and plans for said work, for work performed on orders from the contracting officer for the Government in addition to that required by said contract, and for losses alleged to be the result of delays because of orders from the contracting officer for the Government requiring the performance of additional and experimental work not required by the contract and the payment to claimant of a penalty deducted from the final payment for alleged failure to complete the work within the contract time.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H. R. 10497) was laid on the table.

HUBERT J. CUNCANNAN

Mr. KENNEDY of Maryland. Mr. Speaker, I have several bills that have passed the Senate, which are not on the Consent Calendar.

I ask unanimous consent for the present consideration of the bill (S. 3387) for the relief of Hubert J. Cuncannan.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

Mr. HANCOCK of New York. Mr. Speaker, reserving the right to object, have the bills been referred to the committee?

Mr. KENNEDY of Maryland. I notified the gentleman from California [Mr. COSTELLO] about the bills and he has full knowledge of them.

Mr. HANCOCK of New York. Nobody on this side has seen any of those bills.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Hubert J. Cuncannan, of Grand Rapids, Mich., the sum of \$2,500, in full satisfaction of his claim against the United States for the value of stock of the Eagle-Ottawa Leather Co., a corporation, of Grand Haven, Mich., in that amount deposited by him to secure the appearance of Richard Husty in the United States District Court for the Western District of Michigan and forfeited to the United States on or about September 12, 1935, after his failure to appear, although said Richard Husty had been apprehended and sentenced: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LEONARD GRABOSKI

Mr. KENNEDY of Maryland. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 3403) for the relief of Leonard Graboski.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Leonard Graboski the sum of \$925.35, said sum representing the amount of an unpaid judgment and costs for \$925.35, entered on 6059 Law Docket in the District Court of the United States in and for the District of Maryland in the case of Leonard Graboski against James W. Rogers for and on account of an assault alleged to have been committed upon the body and person of the said Leonard Graboski on May 8, 1936, by the said James W. Rogers, an investigator of the Alcohol Tax Unit of the Bureau of Internal Revenue of the Treasury Department of the United States, when he, the said James W. Rogers, arrested the said Leonard Graboski for an offense against the internal-revenue laws of the United States, which he, the said James W. Rogers, had probable cause to believe the said Leonard Graboski was then and there committing: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Mr. COSTELLO. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COSTELLO: Page 1, line 6, after the figures and comma, strike out "said sum representing the amount" and insert in lieu thereof "in full satisfaction and discharge."

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JAMES, CHARLES, AND DAVID THOW

Mr. KENNEDY of Maryland. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 3957) for the relief of James Thow, Charles Thow, and David Thow.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to James Thow the sum of \$1,583, to Charles Thow the sum of \$178, and to David Thow the sum of \$56, in full satisfaction of their claims against the United States for damages resulting from property damage, personal injuries, and medical expenses sustained by them, as a result of the automobile in which they were riding having been struck by a United States Army truck on Route 14 near Barre, Vt., on September 2, 1936: *Provided*, That no part of the amount

appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with such claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RELIEF OF CERTAIN PERSONS WHO SUFFERED DAMAGES BY THE ESTABLISHMENT AND OPERATION OF THE ABERDEEN PROVING GROUND

Mr. KENNEDY of Maryland. Mr. Speaker, I ask unanimous consent for the immediate consideration of Senate Joint Resolution 114, for the relief of certain persons who suffered damages occasioned by the establishment and operation of the Aberdeen Proving Ground.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There being no objection, the Clerk read the Senate joint resolution, as follows:

Whereas in order to pay the losses for property taken and damages to citizens occasioned by the Government establishing a proving ground on Kent Island, Md., for the proof and test of ordnance material, the Secretary of War submitted an estimate of \$3,000,000, but said proposed site on Kent Island was abandoned because of objections many persons interposed, claiming that such proving ground would destroy their business, which necessitated the War Department selecting a new site for such proving ground in Harford and Baltimore Counties, Md., where the War Department by promises made to affected citizens through its representative, Col. C. L'H. Ruggles that they would be fully compensated by the Government for their losses, caused said citizens to withdraw their objections, such citizens believing and relying on such assurance that they would be fully paid for all damages, an estimate for an additional \$4,000,000 was made by said War Department to pay the damages occasioned to the affected citizens by establishing said proving ground in said two counties; and

Whereas in response to a Senate resolution referred to the Court of Claims of the United States on November 9, 1936, relating to the establishment of said proving ground and the assurance given by said War Department to affected citizens that the Government would pay them the damages they suffered, such Court of Claims of the United States found the following to be facts:

"After the hearing before the Committee on Military Affairs of the Senate on the Kent Island site, General Crozier, the Chief of Ordnance, sent Colonel Ruggles to look over the site in Harford and Baltimore Counties, Md.

"While examining the site in Harford and Baltimore Counties as to its suitability for a proving ground and inquiring as to the value of the properties there, the colonel met a number of representative citizens of the neighborhood and told them what his mission was and discussed the probable conditions under which the Government would take over the land if authorized to do so by Congress. He told them in personal conversation or at a public meeting that the intention of the War Department was to pay all legitimate damages done to the inhabitants by the taking over of the land.

"On September 21, 1917, General Crozier telegraphed one of the persons whose property lay outside of the proposed site: 'I have recommended that provision be made for compensation for other damages sustained other than that covered by the value of real estate only in taking land which must be had for a proving ground.'

"Both before and after the passage of the act of October 6, 1917 (40 Stat. 345, 352) providing for the establishment of the Aberdeen Proving Ground, a number of citizens whose property and business would be affected by the proving ground being located near Aberdeen called on the Secretary of War relative to the location of the proving ground in their neighborhood. The Secretary informed them that the Government needed the land for a proving ground and expressed his belief that the Government in taking land of that kind should act generously; that it was far better for the Government to pay the owners of the land the fair value of the land, generously appraised, than to be exacting about it and have the owners forced to lose a lot of their money in litigation.

"On the evening of September 25, 1917, Major Stockham had arranged a meeting, to be addressed by Colonel Ruggles, at Perryman, adjacent to the proposed site, for the purpose of explaining to interested persons the needs of the War Department and what and how compensation was to be made to those who might suffer losses and damages by the establishment of the proving ground.

"After the public meeting on September 25, which was addressed by Colonel Ruggles, the organized opposition to the establishment of the proving ground ceased. On October 6, 1917, the act carrying an appropriation for \$7,000,000 was passed (40 Stat. 345, 352) reading in part as follows: 'Proving ground: For increasing facilities for the proof and test of ordnance material, including necessary buildings, construction, equipment, land, and damages and losses to persons, firms, and corporations, resulting from the procurement of the land for this purpose.'

"On December 14, 1917, the President of the United States, pursuant to the power vested in him by the said act, by proclamation took over the site in Harford County for the proving ground, and the War Department at once proceeded with the necessary work for the establishment of the Aberdeen Proving Ground according to its plans.

"Thereafter the President established a commission to determine the payment of the just compensation provided for in the act, and claims were presented to the Commission for compensation for consequential and indirect damages. Claims for property taken were considered and paid by the Commission, but under a ruling by the Judge Advocate General the Commission held that it had no authority to consider or make awards for consequential or indirect losses and damages. There has been no compensation made to the various claimants for this last mentioned class of losses and damages.

"The site acquired in Harford County was on the shores of Chesapeake Bay and the Gunpowder and Bush Rivers. This section of the county was thickly populated and had been occupied as a thriving and prosperous agricultural community from the early days of colonial Maryland. In connection with the agricultural pursuits, there had grown up in the community long prior to 1917 a large and active canning industry that was mostly dependent upon the territory subsequently acquired and known as the Aberdeen Proving Ground for the agricultural products for canning. The community generally was a busy, thriving, and prosperous community, many persons located outside the area of the proving ground doing a large or major part of their business with those within the area of the proving ground.

"Some of the canning houses were located on the site of the proving ground, and others outside of its limits, some of which were dependent to a great extent upon the crops grown within the proving-ground area. This area was particularly adapted by climatic and soil conditions to the raising of crops for canning, with a trained and adequate labor supply for the canning industry.

"The canning industry continues to be the principal industry in the vicinity of the proving ground and surrounding country.

"The Government took possession of the whole tract of land as described in the proclamation of December 14, 1917, and all persons living within that area were required to vacate the lands. Many were compelled to abandon their farms and business and to move to other parts. Many persons engaged in one form or another of business who did not reside on the tract taken over by the Government were to a great extent dependent upon the persons formerly living within the area for their business and professional livelihood, and as a result of the taking of the land required for the proving ground the returns from their businesses and professions were decreased and in some instances destroyed through the dispersion of the population living within the proving-ground area.

"Prior to December 1917, the Bay farm fronted along the main through county road running between Michaelsville and Perryman, and the several small farmers and tenants on property south of the Emma W. Bay farm had means of access to the aforesaid public road by way of public or private rights-of-way through the lands afterward acquired as and for the Aberdeen Proving Ground.

"Upon the acquisition of the land and the establishment of the Aberdeen Proving Ground, the roads just referred to lying within the proving ground area were closed by means of gates or barriers, and no other road was opened by the United States to give these farmers and tenants access to a public road. As a result of the establishing of the Aberdeen Proving Ground and the closing of the public road by the United States, as aforesaid, the small farmers and tenants living south of the Bay farm and between it and the lines of the proving ground were deprived of any means of access to the public road";

and concerning citizens who suffered consequential damages the said Court of Claims of the United States on November 9, 1936, reported to said Senate that payment of such damages "rests in the discretion of Congress"; and

Whereas by authority of an act of the General Assembly of the State of Maryland, a commission was duly appointed by the Governor of Maryland to hear evidence and determine the amount of damages actually suffered and sustained by citizens occasioned by the establishment of said Aberdeen Proving Ground, the chairman of such commission now being a justice of the supreme court of Baltimore, which commission sat for months as a court and heard evidence on all cases of losses sustained, and determined the amount of damages affected citizens living just without said proving ground had sustained, and the printed official report of said commission determining such damages was duly filed with said Governor, and was by said Gov. Albert C. Ritchie approved on January 10, 1923, urging that payment of such damages be made by the United States Government; and

Whereas, respecting damages suffered by F. O. Mitchel & Bro., they claimed to be \$52,684.50, said Commission determined such losses to be \$29,937 and officially reported the following:

"The claimants in this case operate a canning factory, the business of which is the canning of shoe-peg corn. This factory is located about a half a mile south of Perryman, on the line of the Philadelphia, Wilmington & Baltimore Railroad, its location directly on the line of the road, switch tracks from which run to the factory, greatly facilitates the handling of all supplies required for its successful operation.

"The business conducted is large, the average pack being about sixty to sixty-five thousand cases of canned corn. Qualified experts testified that the acreage thus lost cannot be secured elsewhere.

"The Commission recommends this claim for \$29,937"; and Whereas, respecting damages suffered and sustained by John H. Emmord, now deceased, the said Commission determined and officially reported such losses as follows:

"This claimant is a resident of Perryman, a village of 300 inhabitants. Since the establishment of the proving grounds, three churches, three public schools, and four canning houses have been abandoned; one of the stores has been closed, and the rest have sold out at a loss, and the rural mail routes have been discontinued.

"Claimant has lived there for 44 years, owns a dwelling house there with the usual outbuildings, also a storehouse, barn and stable, shed 60 feet long, a wheelwright shop, a barber and shoe-maker shop, and a corner lot, which last was worth \$3,500 but is now worth about \$500, and was also the owner of a blacksmith shop, which has since been torn down. Claimant occupied the storehouse for many years, conducting a general store, the gross sales of which averaged about \$25,000 a year.

"This claimant suffered severe financial loss from the establishment of the reservation. This Commission therefore recommends this claim for \$15,000"; and

Whereas, respecting damages suffered and sustained by Samuel L. Fyle, whose claim approximated \$30,000, the said Commission determined and fixed his injuries at \$9,500, and officially reported his losses as follows:

"This claimant conducted a store in Perryman, his business estimated at from thirty to thirty-five thousand dollars a year. He was obliged to give up his store and was actually deprived of all of his customers in the area taken over by the proving grounds, being 89 customers, who in the 3 years previous to their removal had dealt with him to the estimated amount of \$24,650 annually. He had to abandon his store; his opportunity to trade with the inhabitants which had been his for 11 years was taken away from him, and his loss is real. The Commission recommends his claim for \$9,500"; and

Whereas, respecting damages suffered and sustained by the co-partnership of John W. Bay & Co., whose \$125,000 claim for damages was filed with the Government Land Commission on February 12, 1918, the said Maryland State Commission determined and fixed their losses at \$44,300 and officially reported such damages as follows:

"The Bay farm of 260 acres, within a quarter of a mile of the westerly line of the reservation, is improved by a comfortable dwelling house, six tenant houses, a large barn, the usual farm outbuildings, a canning factory, warehouse, and other outbuildings, the canning factory being an up-to-date sanitary plant newly erected at a cost of about \$14,000. The annual pack prior to 1918 was from sixteen to eighteen thousand cases of tomatoes.

"The canning house of John W. Bay Co. had contracts with 48 farmers residing on the land taken over by the proving ground, who in 1917 produced 183 acres of tomatoes and employed 63 persons, who lived within the reservation in said canning factory. The taking over of the reservation by the Government, therefore, and the consequent removal of the inhabitants deprived the claimants of the source of supply of the bulk of the raw material required by them, and the opportunity to secure the requisite labor to operate the factory, the supply of both of which obtainable outside of the reservation was totally inadequate for the purposes of the business, and the business was, therefore, destroyed and the valuable factory is now almost a total loss.

"At the proving grounds all sizes of cannon are tested, enormous quantities of ammunition are stored and tested, and bombing airplanes assembled and tested. These airplanes, owing to the quantities of explosives stored in said proving grounds, and the consequent danger from falling bombs, were not allowed to fly over the proving grounds, but were required to take their course outside thereof, and the course adopted was over the Bay tracts and the tracts of land adjacent thereto and in general line therewith.

"On April 19, 1919, an airplane carrying explosive bombs accidentally dropped a bomb within 300 yards of the dwelling house on the farm, blowing a hole in the ground 6 yards in diameter and 10 feet deep, knocking down the plaster, and breaking a number of window lights in the house.

"From June 14 to June 19, 1919, there were successive explosions of shells stored on the proving grounds about 1¼ miles from said dwelling house. The explosion on June 14 was so violent that a son was thrown into convulsions and has since had an impediment in his speech, and fragments of shrapnel were found on the farm, yet the airplane course has never been permanently changed. The terror of the inhabitants produced by these conditions was such that help would not stay on the farm, and its activities were so seriously interfered with that it now produces no net revenue.

"A fair estimate of the farm and lot before 1918 was approximately \$50,000. The recommendation of the Commission is: Dam-

ages to land, \$19,300; damages to canning business, \$20,000; loss sustained to farming rights, \$5,000; total, \$44,300"; and

Whereas, respecting the \$6,875 claim for damages sustained by Harry C. Holloway for loss of dairy business, the Court of Claims of the United States, on November 9, 1936, found the following to be facts:

"From the year 1900 to the year 1918 Harry C. Holloway had conducted for his own account a dairy; upon the disposal of his herd and dairy equipment he suffered a loss of \$1,400, with the net annual revenue of \$600 from the dairy, and the further loss of \$500 from the value of the manure, being compelled to discontinue his dairy business and dispose of his cows at great sacrifice"; and

Whereas, respecting a small farm purchased in 1915 by Mrs. Emma W. Bay from Millicent L. Young, said Court of Claims of the United States, on November 9, 1936, found the following to be facts:

"Prior to 1917 the Bay farm fronted along the main through county road running between Michaelsville and Perryman, and the several small farmers and tenants on property south of the Emma W. Bay farm had means of access to the aforesaid public road by way of public or private rights-of-way through the lands afterwards acquired for the Aberdeen Proving Grounds.

"Upon the acquisition of the land and the establishment of the Aberdeen Proving Ground, the roads just referred to lying within the proving-ground area were closed by means of gates or barriers, and no other road was opened by the United States to give these farmers and tenants access to a public road, and as a result they have been deprived of any means of access to the public road except through and over this meadow, and have used this meadow as a way of necessity to reach the public road, and have torn down and destroyed the fences";

and the said Mrs. Emma W. Bay has been deprived of all revenue from said land since December 1917, such loss and damages actually sustained by her being \$3,355, which has been reduced to \$2,100; and

Whereas, respecting the 150-acre farm of Mrs. Emma A. Wirsing, which was very fertile and highly productive property in 1917, and whose claim was reduced from \$34,000 to \$16,000, the Government attempted to take only part of it, and ran about 20 telephone poles across the farm but finally decided not to take any of it, but ricked a large number of explosive shells on property a short distance from the Wirsing residence, which ricked shells began to explode, and for the first few days the explosions were terrific, and then continued off and on for a month, until 77 acres of said Wirsing farm had parts of explosive shells and unexploded shells sprayed and buried over same, some of such shells falling within 250 feet of said residence, and some went underground, and some left on top of the ground. Some of these shells were shrapnel and some were mustard-gas shells. Such explosions broke the windowpanes, jarred loose the putty, broke the plaster on the walls, caused nails to withdraw in places from walls and roofs of dwelling, tenant house, and outhouses, and generally damaged the buildings and wrecked the nerves of the occupants. Explosions due to target practice and experimental purposes have continued weekly since 1919, and occur within a half to three-quarters of a mile from said Wirsing residence, and Government airplanes are constantly flying over the farm, many times not higher than to clear the buildings, which frightens the stock as well as the labor, and it has been impossible to keep help on said farm, and because of its close proximity to said proving ground, and the dangers therefrom, it has been impossible to get even a small loan on such property, and because of the danger of striking an unexploded shell underground the owner and employees are afraid to plow in said field, and the property has been unproductive and has furnished no profit since 1917, and the chemicals in said exploded shells have destroyed the fertility of the soil, and said property is practically valueless as a farm home, and said widow, Mrs. Emma A. Wirsing, has lost the annual revenue from same since December 1917; and

Whereas said Maryland State Commission, created by the General Assembly of Maryland to determine such damages, officially reported the following:

"Aberdeen Proving Grounds comprises about 50 square miles. Before the necessary legislation was passed, several meetings of the inhabitants of the desired territory were held and at these meetings Colonel Ruggles, the War Department representative, assured the people that the Government would compensate them for all actual loss in any manner arising from its occupancy of the territory. He made similar representations by letter to various individuals.

"At the outset there was great opposition to the project, but after such assurances general opposition was withdrawn.

"Thereafter on October 6, 1917, 6 months after the declaration of war, the Sixty-fifth Congress passed what is known as the Urgent Deficiency Act, by which \$7,000,000 were appropriated for 'increasing the facilities for the proof and test of ordnance material, including necessary buildings, construction, equipment, land and damages and losses to persons, firms, and corporations resulting from the procurement of the land for this purpose.'

"As has been stated, the finally adopted site of the Proving Grounds contained about 50 square miles of territory. A large portion of this territory was composed of farm lands, on which corn, wheat, and tomatoes were grown, and a special kind of sugar corn, called shoe-peg corn, was here produced, which is not capable of successful cultivation in quantity anywhere else in this country. Owing to the excellence of the soil for the growth of tomatoes

and shoe-peg and other sugar corn, the tomato and corn canning industry had flourished for many years in this portion of the State of Maryland.

"In the territory finally taken there was a grown population of about 1,500 persons, approximately 500 families. They were forced to move, and were scattered in every direction, with the result that the farming and canning industries, and the business of the stores conducted by country merchants and that of the other tradesmen which in whole or in part depended upon the products or population of this territory, were either entirely destroyed or seriously and permanently injured.

"The activities incident to the operation of the proving grounds necessitated the storage there of great quantities of ammunition, the assembling and firing of cannon, and ammunition, the testing of war planes, and the manufacture and testing of gases, all of which seriously affected the property rights and the comfort of the inhabitants of the territory adjacent to that actually taken;" and

Whereas in the case of *Peabody v. United States* (231 U. S. 531) it was held: "The subjection of land to the burden of governmental use by constantly discharging heavy guns from a battery over it in time of peace in such a manner as to deprive the owner of its profitable use would constitute such a servitude as would amount to a taking of the property within the meaning of the fifth amendment"; Now, therefore, be it

Resolved, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to claimants in this act named the several sums appropriated herein, which shall be in full settlement of all claims they may have respectively for damages against the United States Government occasioned by the establishment and operation of the Aberdeen Proving Ground, namely: F. O. Mitchell & Bro., \$19,000; W. E. Boeschel, representative of the J. H. Emmord estate, \$7,500; Samuel L. Fyle, \$4,250; John W. Bay & Co., \$30,000; Harry C. Holloway, \$2,500; Mrs. Emma W. Bay, \$1,500; Mrs. Emma A. Wirsing, \$8,000; representing the amount of consequential damages suffered by the above-named persons in connection with the establishment and operation by the United States Government of the Aberdeen Proving Ground, in Harford and Baltimore Counties, Md.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. KENNEDY of Maryland. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 3189) for the relief of Earle Embrey.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Earle Embrey, general contractor, of New Albany, Ind., such amount not in excess of \$3,855.06 as may be approved by the Secretary of the Treasury, but exclusive of any allowance for profit, in full settlement of all claims against the United States for repairs made by the said Earle Embrey to the new post-office building at Tell City, Ind., as a result of flood damages to such building beginning on January 20, 1937, while such building was under construction in accordance with contract No. Tlpw-4625, dated June 4, 1936: *Provided*, That no part of the amount allowed by virtue of this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary, notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

THE WORK OF THE CLAIMS COMMITTEE

Mr. O'CONNOR of New York. Mr. Speaker, I ask unanimous consent to insert in the Record at this point some remarks of respect for the wonderful work which has been done during this Congress by our Committee on Claims and by the official objectors on both sides of the aisle. I think their work is well known here and deserves the highest commendation. [Applause.]

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. O'CONNOR of New York. Mr. Speaker, before this House adjourns sine die it may not be inappropriate to call attention to the remarkable work which has been done by the Committee on Claims of the House under the leadership of the chairman of that committee, the distinguished Representative from Maryland, Mr. AMBROSE J. KENNEDY.

For many years I have had an interest in the conduct of the affairs of that committee and I am sometimes referred to as the author of the Private Calendar rule, under which the House has operated during recent years.

Before the adoption of that rule one objection, arbitrarily or otherwise, would prevent consideration of a claim bill, large or small, and often great injustices resulted to our citizens at the hands of their own Government.

The rule now requires two objections, and thereafter an opportunity is afforded for a consideration of the bill by a majority vote of the House if the bill be reported in an omnibus bill. I doubt if anyone will say that the new rule is not a great improvement on the old system, which was so objectionable to many Members. The results speak for themselves, as evidenced by the work which this Committee on Claims has done. I know of no more arduous work, unheralded, than this committee performs. It has more legislation referred to it than any committee in the House. Its members must write more reports than the members of any other committee.

For instance, during this Seventy-fifth Congress approximately 2,400 bills and resolutions were referred to that committee. Of these, 875 were reported favorably and 425 were reported adversely or rejected, making a total of 1,300 individual bills considered by the committee, a record unequalled or even unapproached by any other committee of the House.

In spite of some opinions to the contrary, the provision for the consideration of omnibus bills is a very important feature of the new rule. Personally I regret that opposition still continues in some places to these bills, and I am sure that such opposition would not persist if there were a thorough understanding of how the Committee on Claims acts in reference to bills put in an omnibus bill. When there are two objections to an individual bill on the Private Calendar and the bill is recommitted to the Committee on Claims, before the bill is put in an omnibus bill the proponents and the objectors are notified and a subcommittee of five of the Committee on Claims hears the arguments for the placing of the bill in an omnibus bill. Often the objections only lay to certain features of the bill, and often this is worked out by reporting the bill in an omnibus bill with amendments.

So thoroughly has the Committee on Claims done this work during this Congress that of the bills reported by the committee no individual bills are now on the Private Calendar awaiting action. There are several omnibus bills still pending. Of the bills favorably reported by the committee, over 650 have been passed and are in the process of becoming a law. About 177 bills are pending before the Senate or the Senate Claims Committee after having passed the House.

Never before in the history of this committee has so much work been done. The results are attributable to the industrious work by the committee's chairman and each and every member and clerk, and to the fixed rules and policies which the committee has adopted in reference to the procedure and consideration of bills referred to it.

Mr. Speaker, it would not be fair or appropriate if my résumé of the work of the Committee on Claims failed to include reference to the so-called official objectors on the Private Calendar. Nor more thankless or personally hazardous appointment exists than in this body. These objectors review the bills reported by the Claims Committee and other bills on the Private Calendar. That requires countless hours of careful study. No one ever seeks such an appointment as that of "official objector," and most Members refuse to take it, but this House is well aware of the intelligent, industrious, and conscientious work done during this Congress by the official objectors on the Private Cal-

endar, and I know everybody here appreciates their industry and fairness. The Democratic objectors have been these distinguished gentlemen, Mr. JOHN M. COSTELLO, of California; Mr. GRAHAM A. BARDEN, of North Carolina; Mr. ROSS A. COLLINS, of Mississippi; and Mr. J. HAROLD FLANNERY, of Pennsylvania. The Republican objectors have been Mr. CLARENCE E. HANCOCK, of New York; Mr. CHARLES A. HALLECK, of Indiana; and Mr. JAMES W. MOTT, of Oregon.

Without the intelligence, industry, and cooperative work of these objectors, and the legislative clerks assisting them, the Committee on Claims would not have established the unparalleled record it has made in the Seventy-fifth Congress.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD immediately following the remarks of the gentleman from New York [Mr. O'CONNOR] complimenting the gentleman from Maryland [Mr. KENNEDY], and the official objectors.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, I desire to take this opportunity to pay my personal tribute to an outstanding and valuable Member of this House, the distinguished chairman of the Committee on Claims, AMBROSE J. KENNEDY.

Mr. KENNEDY has converted, through his energy, wisdom, and sincerity, a heretofore practically inactive committee into a committee which acts on a greater volume of work than any other committee of this House. The statistics to substantiate this statement are included in this same RECORD in the remarks of Hon. JOHN O'CONNOR, who has also made significant and notable reference to Mr. KENNEDY.

Mr. KENNEDY is of transcendent worth to the membership of this House and through us to many hundreds of citizens of the United States whose only source of relief in a varied field of private claims is through his committee. Clearly it is an unselfish and humane quality which prompts a man to consider others' problems as his own.

In addition to performing his duties so ably as chairman of the Committee on Claims, Mr. KENNEDY is an active member on the important Merchant Marine and Fisheries Committee, and the District of Columbia Committee, and is recognized as possessing a thorough knowledge of the affairs of these committees.

Five and a half years ago, the people in Mr. KENNEDY's district wisely chose a Representative whose aggressiveness has placed him in the high esteem of the membership of this House, and he in turn has the value which might well accompany a Member of many more years' experience. Mr. KENNEDY is one of our younger Members destined to render through his indefatigable efforts an even greater service to the House of Representatives.

I am frankly proud of the fact that I was one of Mr. KENNEDY's first admirers here in the House and his enviable record has more than convinced me that my expectations were not misplaced.

Our colleague is entitled to the gratitude of the entire membership of the House.

THIRD INTERNATIONAL CONGRESS FOR MICROBIOLOGY

Mr. BLOOM. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the joint resolution (H. J. Res. 702) to provide that the United States extend to foreign governments invitations to participate in the Third International Congress for Microbiology to be held in the United States during the calendar year 1939, and to authorize an appropriation to assist in meeting the expenses of the session, with a Senate amendment, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, strike out lines 8 and 9 and lines 1 to 17, inclusive.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. MARTIN of Massachusetts. Reserving the right to object, Mr. Speaker, will the gentleman tell us just what this amendment does?

Mr. BLOOM. This amendment strikes out completely the authorization for the appropriation. The bill is now without the appropriation instead of with the appropriation.

Mr. MARTIN of Massachusetts. That is the only change that is made?

Mr. BLOOM. It is the only change.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. BLOOM. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including an address of the Honorable Alexander I. Rorke on the Need for Religion in the Life of Every American, delivered at the Holy Name rally, held at the Chaminade High School Bowl in Mineola, Long Island, on Sunday, May 15, 1938; also an appeal to the citizens of the world, made by the World Peace Crusaders.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

CONSENT CALENDAR

The SPEAKER. The Clerk will call the first bill on the Consent Calendar.

Mr. COSTELLO. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. COSTELLO. I wish to inquire whether the agreement was that Senate bills should be called first on the Consent Calendar, the same as on the Private Calendar?

The SPEAKER. The Chair so understood.

Mr. COSTELLO. My thought was that the agreement referred only to the Private Calendar.

Mr. MARTIN of Massachusetts. I understood the agreement referred only to the Private Calendar. I did not understand it included the Consent Calendar.

The SPEAKER. The Chair is advised that the notes made by the Journal clerk show that the request of the gentleman from Texas included calling first Senate bills on the Consent Calendar.

The Clerk will call the first Senate bill on the Consent Calendar.

WESTERN BANDS OF THE SHOSHONE NATION OF INDIANS

The Clerk called the first Senate bill on the Consent Calendar (S. 68) authorizing the Western Bands of the Shoshone Nation of Indians to sue in the Court of Claims.

Mr. COCHRAN, Mr. TABER, and Mr. BACON objected.

INDIANS ON THE QUINAIELT RESERVATION, STATE OF WASHINGTON

The Clerk called the next bill, S. 1517, authorizing the payment of attorney fees contracted to be paid by certain Indians allotted on the Quinaielt Reservation, State of Washington.

Mr. COCHRAN, Mr. TABER, and Mr. BACON objected.

Mr. COFFEE of Washington. Mr. Speaker, if the gentlemen will withhold their objection, I should like to make a brief observation on this case, which has been bandied about in the House for the last several months.

This is a bill which passed the Senate and has been on the House Calendar for about 4 months. It involves the payment of attorney fees contracted to be paid by Indians allotted on the Quinaielt Reservation, in the State of Washington. It seems that the attorneys were employed during certain litigation and were allowed to file a lien upon timberland upon the Quinaielt Reservation. Out of this timber they hoped to have their attorney fees paid. Subsequent to their employment, however, the Wheeler-Howard Act was passed, and that prevented the sale of the very timberland out of which the attorneys hoped to receive their attorney fees. This is a peculiar case. It is sui generis. I hope the gentlemen will withhold their objection.

Mr. Speaker, this is the situation involved in this bill: The Department denied 81 Indian allotments on the Quinaielt Reservation. The Indians employed Stuart H. Elliott and the Rowland brothers to prosecute their claims to allotments. Suits were filed in the United States District Court, Western District of Washington, and judgments obtained in favor of 64 of the claimants, the trial of the remaining 17 cases being suspended pending appeals from the decrees entered in favor of the 64. The United States prosecuted an appeal to the United States Court of Appeals, Ninth Circuit, which reversed the decrees of the district court in Washington. Webster Ballinger was then employed in the cases and the United States Supreme Court granted certiorari. The cases were consolidated and heard as one case and the decrees of the United States Circuit Court of Appeals in the cases were, by decree of the United States Supreme Court, reversed and the decrees of the district court affirmed (283 U. S. 753). Thereafter the United States District Court, Western District of Washington, entered decrees in the remaining 17 cases following the ruling of the United States Supreme Court. The Secretary of the Interior approved the fees of the attorneys in the sum of 15 percent of the value of the allotments and timber in the 64 cases that went to the United States Supreme Court and allowed 10 percent of the value of the land and timber on those allotments in which decrees were obtained in the United States district court unappealed. Fifty-eight of the allotments and timber thereon have been appraised by the Department and the amount of the fees definitely determined in those cases. On the remaining cases the fees are now computed.

The necessity for the relief asked in the bill is:

When the attorneys were employed, and during the litigation, the Indians, under the then existing law, could, with the approval of the Secretary, sell their land and timber. The litigation was concluded about the commencement of the depression. Before a market for the land and timber was available Congress passed the Wheeler-Howard Act that prevents the sale of any land allotted an Indian. By departmental regulations now in force the timber on the Quinaielt Reservation can only be sold at such times and in such amounts as the Department deems for the best interests of the Indians to authorize. Each sale authorized is for the timber within a limited area and very few sales have been authorized. As a result of the Wheeler-Howard Act, and the regulations, the attorneys could not hope to receive compensation during their natural lives. Because of these changes in governmental policies the bill authorizes an appropriation from the Public Treasury sufficient to pay the fees and makes the amount reimbursable to the United States as and when the timber is sold. Both Collier and Zimmerman, of the United States Indian Service, approved this bill.

Mr. COCHRAN. I may say to the gentleman I happen to have known personally for many years one of the attorneys involved in this case. He is a fine gentleman and deserves to be paid, but I have a letter from the Director of the Budget in reference to this case. Mr. Speaker, I ask unanimous consent that I may place that letter in the RECORD at this point.

The SPEAKER pro tempore (Mr. O'CONNOR of New York). Is there objection to the request of the gentleman from Missouri?

There was no objection.

The letter is as follows:

BUREAU OF THE BUDGET,
Washington, March 2, 1938.

HON. JOHN J. COCHRAN,
House of Representatives.

MY DEAR MR. COCHRAN: I have your letter of February 24, 1938, requesting an expression of my views regarding S. 1517, a bill "authorizing the payment of attorney fees contracted to be paid by certain Indians allotted on the Quinaielt Reservation, State of Washington, and for other purposes."

Before the report of the Secretary of the Interior on this bill was presented to the chairman of the Committee on Indian Affairs it was referred to this office and, as indicated in House Report No. 1771 also transmitted with your letter, the Secretary was advised that the proposed legislation would not be in accord with the program of the President. It is unnecessary to review

the facts of this case, as they are set forth in considerable detail in the above-mentioned House report.

There does not appear to be any satisfactory justification for the advancement by the United States of the moneys necessary to pay the attorney fees in this case, nor is there, so far as I know, any precedent for such action. The contention that the act of June 18, 1934 (the Indian Reorganization Act) has deferred the time when funds would be available for the payment of these fees rests upon a more or less conjectural basis. As a matter of fact, the attorneys had received no payments during the 3-year period from the date of the judgment, June 1, 1931, to the date of the Reorganization Act, June 18, 1934. The case was taken by the attorneys on a contingent-fee basis with the fees to be paid from the proceeds of the sale of timber on the Indian allotments; and, while the Reorganization Act prohibits the sale of allotments, it not only did not prohibit the sale of timber on such allotments, but, in fact, made such provision for the operation and management of Indian forestry units on the principle of sustained-yield management as would gradually increase the value of forest-land allotments, and thus more fully insure the eventual payment of attorney fees.

In view of the foregoing, I cannot recommend the enactment of this legislation.

Very truly yours,

D. W. BELL, *Acting Director.*

Mr. COCHRAN. If this bill passes it will simply mean that the Government will pay a bill where the Government is neither morally nor legally responsible. As I said, I have known for many years one of the attorneys in the case. However, I feel it my duty to object to this bill. Many Members have appealed to me today to let some of the Indian claims bills pass, bills to which I have heretofore voiced my objection.

It is not a pleasant duty to object to bills your friends are interested in. I have talked with the chairman of the Committee on Indian Affairs, and many times urged that his committee not only secure reports on the bills from the Attorney General and the Comptroller General, who has the records. Still all the reports ever carry the views of the Department of the Interior. It is my opinion now, if my suggestion is followed, bills can be amended to protect the Government and then in many cases can be passed, but so long as I am a Member of the House I am going to continue to at least try and prevent bills from passing which are advanced by attorneys that practically deny to the Government a proper defense.

The SPEAKER pro tempore. Three objections are heard, and the bill is stricken from the calendar.

CLAIMS OF DELAWARE INDIANS

The Clerk called the next bill, S. 2326, to amend the act, as amended, entitled "An act to refer the claims of the Delaware Indians to the Court of Claims, with the right of appeal to the Supreme Court of the United States," approved February 7, 1925.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. COCHRAN, Mr. TABER, and Mr. BACON objected, and, under the rule, the bill was stricken from the calendar.

CLAIMS OF SHOSHONE OR BANNOCK INDIANS

The Clerk called the next bill, S. 2253, conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and render final judgment on any and all claims of whatsoever nature, which the Shoshone or Bannock Indians living on the Fort Hall Indian Reservation, in the State of Idaho, or any tribe or band thereof, may have against the United States, and for other purposes.

Mr. O'MALLEY. Mr. Speaker, reserving the right to object, I desire to offer some amendments to the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BACON, Mr. TABER, Mr. WOLCOTT, and Mr. COCHRAN objected; and, under the rule, the bill was stricken from the calendar.

RESTRICTIONS ON HOLDING OFFICE OF RETIRED OFFICERS OF THE MARINE CORPS AND COAST GUARD

The Clerk called the next bill, S. 1532, to exempt retired officers of the Marine Corps and Coast Guard from certain

restrictions with respect to holding office under the United States.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. FADDIS and Mr. EBERHARTER objected.

There being no further objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the second sentence of section 2 of the Legislative, Executive, and Judicial Appropriation Act, approved July 31, 1894, as amended, is amended by striking out the words "Army or Navy" and inserting in lieu thereof the words "Army, Navy, Marine Corps, or Coast Guard."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PAYMENT TO SAN CARLOS APACHE INDIANS

The Clerk called the next bill, S. 1231, authorizing payment to the San Carlos Apache Indians for the lands ceded by them in the agreement of February 25, 1896, ratified by the act of June 10, 1896, and reopening such lands to mineral entry.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. COCHRAN. Mr. Speaker, reserving the right to object, this bill was recommitted to the Committee on Indian Affairs when I opposed its passage, and the committee again reported the bill so amended that it now carries the amount recommended by the Bureau of the Budget.

Mr. MURDOCK of Arizona. That is right. When the House committee first reported this bill the amount involved was for all the land concerned at \$1.25 per acre. The second report reduced it.

Mr. COCHRAN. And those amendments are in the bill and no attempt is going to be made to raise it to the old figure?

Mr. MURDOCK of Arizona. I cannot say positively as to that, Mr. Speaker. I feel that, although the amount ought to be increased, there would be no opportunity now to make any change.

Mr. COCHRAN. There is always an opportunity to send it to conference and have the original Senate bill agreed to. As far as I am concerned, if I can get some assurance there is going to be no attempt to go back to the old figure, I am agreeable, as the objections of the Director of the Budget and the Attorney General have been taken care of, to allow the bill to pass as now amended.

Mr. MURDOCK of Arizona. Mr. Speaker, I feel the original amount was fair, but it has now been reduced to about \$33,000, and surely that is better for the Indians than letting it remain as at present. I hope there will be no objection to it, because it is a meritorious matter.

Mr. TABER, Mr. RICH, and Mr. ALLEN of Illinois objected, and, under the rule, the bill was stricken from the calendar.

PAPERS OF CHARLES COTESWORTH PINCKNEY AND THOMAS PINCKNEY

The Clerk called the next bill, S. 3699, authorizing the Library of Congress to acquire by purchase, or otherwise, the whole, or any part, of the papers of Charles Cotesworth Pinckney and Thomas Pinckney, including therewith a group of documents relating to the Constitutional Convention of 1787, now in the possession of Harry Stone, of New York City.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. TREADWAY, Mr. RICH, and Mr. TABER objected, and, under the rule, the bill was stricken from the calendar.

ADDITIONAL MIDSHIPMAN, UNITED STATES NAVAL ACADEMY

The Clerk called the bill (S. 2276) to provide for an additional midshipman at the United States Naval Academy, and for other purposes.

Mr. TABER, Mr. RICH, and Mr. ALLEN of Illinois objected, and the bill was stricken from the calendar.

TERMS OF HOLDING DISTRICT COURT, WEST VIRGINIA

The Clerk called the bill (S. 3684) to provide for the holding of terms of the district courts of the United States for West Virginia, at Fairmont and Beckley.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the district judge for the northern and southern districts of West Virginia, appointed under the act approved June 22, 1936, shall hold regular terms of court at Fairmont at least once in each calendar year, at such times as may be fixed by rules of the court, when suitable rooms and accommodations for holding terms of the court shall be provided at Fairmont free of cost to the United States or a Federal building containing such suitable rooms and accommodations shall be erected at such place.

SEC. 2. The present district judge for the southern district of West Virginia shall hold regular terms of court at Beckley at least once in each calendar year, at such times as may be fixed by rules of the court, when suitable rooms and accommodations for holding terms of the court shall be provided at Beckley free of cost to the United States or a Federal building containing such suitable rooms and accommodations shall be erected at such place.

With the following committee amendment:

Strike out all after the enacting clause and insert:

"That section 113 of the Judicial Code, as amended (U. S. C., title 28, sec. 194), be, and it is hereby, amended to read as follows:

"The State of West Virginia is divided into two districts, to be known as the northern and southern districts of West Virginia. The northern district shall include the territory embraced on the 1st day of July, 1910, in the counties of Hancock, Brooke, Ohio, Marshall, Tyler, Pleasants, Wood, Wirt, Ritchie, Doddridge, Wetzel, Monongalia, Marion, Harrison, Lewis, Gilmer, Calhoun, Upshur, Barbour, Taylor, Preston, Tucker, Randolph, Pendleton, Hardy, Grant, Mineral, Hampshire, Morgan, Berkeley, and Jefferson, with the waters thereof.

"The district judge for the northern district of West Virginia shall hold regular terms of court in said northern district at the following places and times, that is to say:

"(a) At the city of Martinsburg on the first Tuesday in April and the fourth Tuesday in September in each year;

"(b) At the city of Wheeling on the third Tuesdays in April and October in each year;

"(c) At the city of Elkins on the first Tuesday in June and the third Tuesday in November in each year;

"(d) Said judge shall also hold such special terms as may be necessary for the orderly dispatch of the business of said court; the same to be held at said places and at such times as he shall appoint.

"The southern district shall include the territory embraced on the 1st day of July 1910 in the counties of Jackson, Roane, Clay, Braxton, Webster, Nicholas, Pocahontas, Greenbrier, Fayette, Boone, Kanawha, Putnam, Mason, Cabell, Wayne, Lincoln, Logan, Mingo, Raleigh, Wyoming, McDowell, Mercer, Summers, and Monroe with the waters thereof.

"The district judge for the southern district of West Virginia shall hold regular terms of court in said southern district at the following times and places, that is to say:

"(a) At the city of Bluefield on the third Tuesdays in January and June in each year;

"(b) At the city of Lewisburg on the first Tuesdays in March and September in each year; when suitable rooms and accommodations for holding terms of the court shall be provided at Lewisburg free of cost to the United States or until, subject to the recommendation of the Attorney General of the United States with respect to providing such rooms and accommodations for holding court at Lewisburg, a public building shall have been erected or other Federal space provided for court purposes in said city;

"(c) At the city of Charleston on the second Tuesday in April and on the third Tuesday in November in each year;

"(d) At the city of Beckley at least once in each calendar year, at such times as may be fixed by rules of the court, when suitable rooms and accommodations for holding terms of the court shall be provided at Beckley free of cost to the United States or until, subject to the recommendation of the Attorney General of the United States with respect to providing such rooms and accommodations for holding court at Beckley, a Federal building containing such suitable rooms and accommodations for holding court shall be erected at such place;

"(e) Said judge shall also hold such special terms as may be necessary for the orderly dispatch of the business of said court, the same to be held at said places and at such times as he shall appoint.

"The district judge for the northern and southern districts of West Virginia shall hold regular terms of court in said northern and southern districts at the following places and times; that is to say:

"(a) At the city of Clarksburg in said northern district on the first Tuesday in January and on the fourth Tuesday in August in each year;

"(b) At the city of Parkersburg in said northern district on the third Tuesday in March and on the first Tuesday in October in each year;

"(c) At the city of Huntington in said southern district on the second Tuesday in May and on the third Tuesday in October in each year;

"(d) At the city of Fairmont at least once in each calendar year, at such times as may be fixed by rules of the court, when suitable rooms and accommodations for holding terms of the court shall be provided at Fairmont free of cost to the United States or until, subject to the recommendation of the Attorney General of the United States with respect to providing such rooms and accommodations for holding court at Fairmont, a Federal building containing such suitable rooms and accommodations for holding court shall be erected at such place;

"(e) Said judge shall also hold such special terms as may be necessary for the orderly dispatch of the business of said courts; the same to be held at said places and at such times as he shall appoint."

Mr. KEE. Mr. Speaker, I offer the following amendment to the amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. KEE to the committee amendment: Page 4, line 10, strike out lines 10 to 18, inclusive.

The SPEAKER. The question is on agreeing to the amendment offered by the gentleman from West Virginia.

The question was taken; and on a division (demanded by Mr. WALTER) there were—ayes 3, noes 18.

So the amendment to the committee amendment was rejected.

The committee amendment was agreed to; and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "An act to amend section 113 of the Judicial Code, as amended."

GENERAL CLAIMS CONVENTION, SEPTEMBER 8, 1923

The Clerk called the bill (S. 3104) for the payment of awards and appraisals heretofore made in favor of citizens of the United States on claims presented under the General Claims Convention of September 8, 1923, United States and Mexico.

Mr. BEAM, Mr. KELLY of Illinois, and Mr. COSTELLO objected, and the bill was stricken from the calendar.

WAPATO SCHOOL DISTRICT, YAKIMA COUNTY, WASH.

The Clerk called the bill (S. 1325) to provide funds for cooperation with Wapato School District No. 54, Yakima County, Wash., for extension of public-school buildings to be available for Indian children of the Yakima Reservation.

The SPEAKER pro tempore. Is there objection?

Mr. WOLCOTT. Mr. Speaker, I object.

Mr. TABER. Mr. Speaker, I object.

Mr. HILL. Mr. Speaker, will the gentlemen withhold their objections, please? A similar bill to this (S. 2638) was passed not long ago, and no objection was made to that.

Mr. WOLCOTT. Out of 1,591 children, there are 64 Indian children and 226 Japanese.

Mr. HILL. There are 477 white children who are living on land that is not taxed.

Mr. WOLCOTT. I do not see why the Federal Government should educate the white children living on Indian lands.

Mr. HILL. This city of Wapato is entirely on the reservation.

Mr. WOLCOTT. They are educating all of these children at the expense of the other whites.

Mr. HILL. How does the gentleman explain that the other bill was passed?

Mr. WOLCOTT. I do not explain. For instance, a bill went through yesterday when I happened not to be here. If I had been here, it would not have gone through. Two wrongs do not make a right. It is not right for the Federal Government to pay for educating 1,300 children merely because there are 64 Indian children attending the schools. It is much more economical to pay the tuition of the 64 than to educate the other 1,300 white children.

Mr. HILL. It is only a part that the Federal Government will pay just as in the other bill.

The SPEAKER pro tempore. Is there objection?

Mr. WOLCOTT. Mr. Speaker, I object.

TRANSPORTATION OF CERTAIN PEOPLE IN INTERSTATE COMMERCE

The Clerk called the bill (S. 2403) to prohibit the transportation of certain persons in interstate or foreign commerce during labor controversies, and for other purposes.

Mr. LAMNECK, Mr. TABER, and Mr. RICH objected, and the bill was stricken from the calendar.

APACHE TRIBE, MESCALERO RESERVATION

The Clerk called the bill (S. 2827) to authorize the purchase of certain lands for the Apache Tribe of the Mescalero Reservation, N. Mex.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection?

There was no objection.

NAVAL APPROPRIATION ACT, 1921

The Clerk called the next bill, S. 1131, to amend the part of the act entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1921, and for other purposes," approved June 4, 1920, relating to the conservation, care, custody, protection, and operation of the naval petroleum and oil-shale reserves.

Mr. WOLCOTT. Mr. Speaker, was not this bill passed earlier in the day?

The SPEAKER pro tempore. The gentleman from Georgia sought to call it up under unanimous consent, but the request was objected to.

Mr. PHILLIPS. Mr. Speaker, reserving the right to object, this matter has been discussed at length by the Committee on Naval Affairs. The committee voted to bring this bill out. The gentleman from California [Mr. Scott], and I opposed it. We asked the right to come on the floor and discuss it if a rule should be provided. I feel that further information should be in our hands before we pass this bill.

Mr. MAAS. Mr. Speaker, will the gentleman yield?

Mr. PHILLIPS. I yield.

Mr. MAAS. The committee has gone into this very thoroughly. We have put every possible protection in it. If this bill is passed we waive none of the rights we have now but we do give the Navy a chance to protect their reserves. If we do not pass this bill there is likely to be another Teapot Dome scandal. We have preserved every right the Government has and have sought to protect these rights. We want to give additional protection to these reserves so they may not be invaded.

Mr. CHURCH. Mr. Speaker, will the gentleman yield?

Mr. PHILLIPS. I yield.

Mr. CHURCH. I hope the gentleman will not at this time insist on his objection to this bill. I realize the gentleman feels that full discussion is necessary. If the gentleman objects to the passage of this bill at this time he will be taking a responsibility that I think he would not really like to take.

Mr. HOBBS. Mr. Speaker, will the gentleman yield?

Mr. PHILLIPS. I yield.

Mr. HOBBS. Does not the gentleman think that the questions he has in mind were largely if not wholly gone into by Senator WALSH in his investigation, and if that report does not fully meet his objection?

Mr. PHILLIPS. I have not had a chance to study the report, and I cannot answer the gentleman. That is exactly the point. The Committee on Naval Affairs has asked certain information from the Attorney General of the United States which we have not had in full. It is true we have gotten certain information from the Navy Department, but I feel that I am conscientiously doing my duty in objecting to consideration of this bill at this time.

The SPEAKER pro tempore. Objection is heard.

COMMERCE IN FIREARMS

The Clerk called the next bill, S. 3, to regulate commerce in firearms.

Mr. WEST and Mr. GREEVER objected.

CHINA TRADE ACT CORPORATIONS

The Clerk called the next bill, S. 2783, to amend the China Trade Act, 1922, as to the duration of the China Trade Act corporations.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, I wonder if we can have some explanation of the necessity for this bill.

Mr. SATTERFIELD. This bill amends the China Trade Act, 1922, with reference to the duration of the China Trade Act corporations. Under the China Trade Act corporations may not be chartered for a longer period than 25 years.

Mr. WOLCOTT. What is the purpose of the China Trade Act?

Mr. SATTERFIELD. People who do business in China are incorporated under the China Trade Act. These corporations find themselves handicapped in the negotiation of long-time contracts, franchises, and long-time financing in competition with corporations organized under the laws of other countries. It will give these corporations perpetual duration.

Mr. WOLCOTT. What negotiations has the China Trade Corporation had with the Bank of England concerning China?

Mr. SATTERFIELD. I cannot answer the question.

Mr. WOLCOTT. May I say to the gentleman it is not proper for us to continue the China Trade Act corporations for the purpose of increasing our exports to China? Because of a very fallacious and inadvisable silver policy we have forced China, if they want to buy American products, to go through the Bank of England to do it. We have forced China to tie itself to the English pound when, if we had not adopted this silly silver policy of the present administration, we would have been dealing directly with China. I do not see any objection to the bill, but I think it is an open gesture of the country. There is absolutely no sense in trying to encourage trade with the China Trade Act corporations under the China Trade Act when we have nullified the very desirable set-up which we could have created with China. That country is now a frontier nation. We could have increased our exports to China by hundreds of millions of dollars every year if it had not been for the desire on the part of this administration to subsidize a few silver miners in the western part of this country. By giving them a very few million dollars in subsidies we have sacrificed the possibility of hundreds of millions of dollars of foreign trade with China. Hereafter your foreign trade with China is going to be through the back door of the Bank of England.

Mr. SATTERFIELD. The gentleman will not object to the extension of this charter under the China Trade Act?

Mr. WOLCOTT. No; because I think it is the most harmless thing we can do under the circumstances.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That paragraph (5) of subdivision (b) of section 4 of the China Trade Act, 1922, as amended, is amended to read as follows:

"(5) The duration of the corporation, which may be perpetual or for a limited period."

Sec. 2. The amendment made by section 1 of this act shall apply to every China Trade Act corporation created after the date of the enactment of this act. Any China Trade Act corporation existing on the date of the enactment of this act may make its existence perpetual only upon application to the Secretary of Commerce to amend its charter in that respect and upon payment of a fee equivalent to the incorporation fee. Upon receipt of such application and the payment of such prescribed fee, the Secretary shall approve such application and the charter of the corporation shall be amended accordingly.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INDIAN TRIBES OF NEBRASKA

The Clerk called the next bill, S. 3283, to authorize the Secretary of the Interior to place certain records of Indian tribes of Nebraska with the Nebraska State Historical Society, at Lincoln, Nebr., under rules and regulations to be prescribed by him.

Mr. RICH. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

NATIONAL FOREST UNITS (MONTANA)

The Clerk called the next bill, S. 3157, to empower the President of the United States to create new national forest units and make additions to existing national forests in the State of Montana.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. RICH. Mr. Speaker, I object.

Mr. O'CONNELL of Montana. Will the gentleman withhold his objection?

Mr. RICH. I withhold it, but I expect to object.

Mr. O'CONNELL of Montana. Mr. Speaker, if the gentleman will read the report, I think he will find there is nothing objectionable to this bill. It is approved by the Budget and by the Bureau. It is absolutely desired by the forest interests and people up in that section of the country.

Mr. RICH. Mr. Speaker, this is an act to empower the President of the United States to create new national forest units and make additions to existing national forests in the State of Montana. The State of Montana has a lot of national forests now. It seems to me that under the present conditions all we are doing is making playgrounds. It is time that we stopped playing and get down to work, get down to brass tacks and get down to doing things because if we do not, this Nation is never going to survive. I think it is time to object, and I do object.

PUBLIC LANDS DONATED TO THE STATES OF NORTH DAKOTA, SOUTH DAKOTA, MONTANA, AND WASHINGTON

The Clerk called the next bill, S. 3763, to increase the period for which leases may be made for grazing and agricultural purposes of public lands donated to the States of North Dakota, South Dakota, Montana, and Washington by the act of February 22, 1889, as amended.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. TABER. Mr. Speaker, reserving the right to object, what has the Congress to do with regulating leases of lands belonging to the States? I cannot understand that.

Mr. GREEVER. Under the laws under which the States lease their lands they are limited to making grazing leases for 5 years. Under the Taylor Grazing Act and under the forest leases the leases are generally made for 10 years. This bill is to allow the States to make leases upon their public lands for the same length of time as the other leases are made. The idea is to give stability through extending the length of time for which leases are granted on State lands, in order that the leases may run for the same length of time as the Federal leases. That is all there is to the bill.

Mr. TABER. It is simply to modify the provisions in the organic act?

Mr. GREEVER. The gentleman is correct.

Mr. RICH. Reserving the right to object, Mr. Speaker, is this not going to increase the number of acres the Interior Department will now supervise for grazing purposes?

Mr. GREEVER. No; it has nothing to do with that. For instance, here is a section, 640 acres of State lands, and opposite it are 640 acres of Federal lands. The man who leases that land can lease the State land for only 5 years, whereas he leases the Federal land for 10 years, and it is difficult for him to base his stock-raising operations upon two different kinds of leases.

Mr. RICH. The fact of the matter is that the State lands are going to be leased by the Interior Department for grazing?

Mr. GREEVER. No; the States lease their lands.

Mr. RICH. Is the State going to handle the lands entirely by itself? The lands will not be handled by the Interior Department?

Mr. GREEVER. No; the State land commissioner handles the lands.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That so much of the second paragraph of section 11 of the act relating to the admission into the Union of the States of North Dakota, South Dakota, Montana, and Washington, approved February 22, 1889, as amended, as reads "but leases for grazing and agricultural purposes shall not be for a term longer than 5 years", is amended to read as follows: "but leases for grazing and agricultural purposes shall not be for a term longer than 10 years."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NEVADA AND TOIYABE NATIONAL FORESTS IN NEVADA

The Clerk called the next bill, S. 4136, to facilitate the control of soil erosion and/or flood damage originating upon lands within the exterior boundaries of the Nevada and Toiyabe National Forests in Nevada and to promote efficiency and economy of administration of said national forests.

Mr. TABER. Reserving the right to object, Mr. Speaker, I wish someone would explain this bill, and tell us what it does and what it will cost.

Mr. GREEVER. The bill applies to two national forests in the State of Nevada, and simply provides that \$10,000 a year will be taken out of the receipts from those forests for the purchase of privately owned lands within the body of the forests. I may say to the gentleman that the reason for this is that in the early days when the lands were taken up a great deal of the water of the streams and springs, and so forth, was taken up by private parties, and it is necessary to have some of those lands in order to handle the forest grazing.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of Agriculture be, and is hereby, authorized in his discretion to acquire by purchase any lands within the boundaries of the Nevada and Toiyabe National Forests in the State of Nevada which, in his judgment, should become the property of the United States in order that they may be so managed with other lands of the United States as to minimize soil erosion and flood damage or promote efficiency and economy of administration and to pay for said lands from the receipts from the sale of natural resources, other than mineral, and from occupancy of public lands within the Nevada and Toiyabe National Forests, to which end appropriations of said receipts not exceeding \$10,000 per annum are hereby authorized until said lands have been acquired, the funds so appropriated to be available until expended for that purpose.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COMMERCE IN FIREARMS

Mr. WADSWORTH. Mr. Speaker, I ask unanimous consent to return to Calendar 876, the bill (S. 3) to regulate commerce in firearms.

The SPEAKER pro tempore. Let the Chair state that he thinks it fair that the entire calendar should be completed before requests are made to return to the consideration of certain bills.

Mr. WADSWORTH. I thought the call of the calendar was completed, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will now call the House bills on the calendar.

AMENDMENT OF THE WISCONSIN CHIPPEWA JURISDICTIONAL ACT

The Clerk called the first House bill on the Consent Calendar, H. R. 8502, to amend the Wisconsin Chippewa Jurisdictional Act of August 30, 1935 (49 Stat. L. 1049).

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

SIOUX INDIANS

The Clerk called the joint resolution (H. J. Res. 438) restoring the right of appeal to the Supreme Court in certain cases involving claims of the Sioux Indians.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that this joint resolution be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

CLAIMS OF GRAIN ELEVATORS AND GRAIN FIRMS

The Clerk called the next joint resolution, House Joint Resolution 421, authorizing and directing the Comptroller General of the United States to certify for payment certain claims of grain elevators and grain firms to cover insurance and interest on wheat during the years 1919 and 1920 as per a certain contract authorized by the President.

Mr. COCHRAN and Mr. COSTELLO objected.

APPOINTMENT OF POSTMASTERS

The Clerk called the next bill, H. R. 8037, to amend the law relating to appointment of postmasters.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that in view of the action of the House the other day on a similar bill, that this bill be stricken from the calendar and recommitted to the Committee on the Post Office and Post Roads.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

CLAIMS OF SEMINOLE NATION OR TRIBE OF INDIANS

The Clerk called the next bill, H. R. 7271, authorizing the District Court of the United States for the Eastern District of Oklahoma to hear and determine certain claims of the Seminole Nation or Tribe of Indians.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

LONGEVITY PAY OF WARRANT OFFICERS

The Clerk called the next bill, H. R. 3618, to reestablish the longevity pay of warrant officers.

There being no objection the Clerk read the bill, as follows:

Be it enacted, etc., That such part of section 4a of the act approved June 4, 1920 (41 Stat. L. 759), amending the National Defense Act, which provides that warrant officers of the Army shall be entitled to longevity pay "under the same conditions as commissioned officers," who then received for that purpose an addition of 10 percent of their base pay for each 5 years of service, not to exceed 40 percent, and that such part of chapter IX of the act approved July 9, 1918 (40 Stat. L. 881-882), establishing the grade of warrant officers of the Army, Army Mine Planter Service, which provided that such warrant officers "shall receive longevity pay as now provided by law for officers of the Army" shall, on and after the approval of this act, be reestablished, in lieu of the addition provided for in section 9 of the act approved June 10, 1922 (42 Stat. L. 629), which provides that warrant officers shall receive as a permanent addition to their pay, an increase of 5 percent of their base pay, for each 4 years of service, not to exceed 25 percent.

Sec. 2. Retired warrant officers of the Army and those on the retired list entitled to the pay of warrant officers on account of World War service as commissioned officers shall have their pay readjusted on the basis of section 1 of this act.

Mr. EDMISTON. Mr. Speaker, I offer an amendment.
The Clerk read as follows:

Amendment offered by Mr. EDMISTON: Page 2, line 9, strike out all of section 2, lines 9 to 12, inclusive.

Mr. EDMISTON. Mr. Speaker, this amendment striking out section 2 of the bill I offer, not that I personally agree with what the amendment does, because I think it does an injustice to a great number of men who have been retired as warrant officers of the Army who rendered valuable services during the World War as commissioned officers, but I offer the amendment because the Senate Committee on Military Affairs has reported a bill as this bill will be if the amendment is adopted and believing when I cannot get a whole loaf I should take a half loaf, which is better than no bread at all, I shall go along with the Senate committee.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. EDMISTON. I yield.

Mr. McCORMACK. Has the Senate bill been passed by that body?

Mr. EDMISTON. It has not, but it has been reported out in this form by the Senate Military Affairs Committee.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDMENT OF INLAND WATERWAYS CORPORATION ACT

The Clerk called the next bill, H. R. 10464, to amend the Inland Waterways Corporation Act, approved June 3, 1924, as amended, authorizing the Secretary of War to extend the services and operations of the Inland Waterways Corporation to the Cape Fear River and connecting waterways.

Mr. CHURCH, Mr. RICH, and Mr. TABER objected, and, under the rule, the bill was stricken from the calendar.

EXTENSION OF FOREIGN AIR-MAIL CONTRACTS

The Clerk called House Joint Resolution 650 to authorize the extension of existing foreign air-mail contracts for a period not exceeding 1 year in each case.

Mr. FADDIS. Mr. Speaker, I object.

ABSAROKA AND GALLATIN NATIONAL FORESTS

The Clerk called the next bill, H. R. 4548, to repeal the proviso of, and amend, the act of May 18, 1928 (ch. 626, 45 Stat. 603), making additions to the Absaroka and Gallatin National Forests and improving and extending the winter-feed facilities of the elk, antelope, and other game animals of Yellowstone National Park and adjacent land, and for other purposes.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

AMENDING MERCHANT MARINE ACT, 1936

The Clerk called the bill (H. R. 9811) to amend the Merchant Marine Act, 1936, and for other purposes.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection?

There was no objection.

CANCELATION OF CERTIFICATE OF CITIZENSHIP

The Clerk called the bill (H. R. 10119) to amend section 15 of the act of June 29, 1906, as amended (U. S. C., title 8, sec. 405).

The SPEAKER pro tempore. Is there objection?

Mr. TABER. Mr. Speaker, I object.

TEMPORARY OPERATION OF STEAMSHIPS BY THE UNITED STATES

The Clerk called the joint resolution (H. J. Res. 685) to provide for temporary operation by the United States of certain steamships, and for other purposes.

Mr. RICH, Mr. COSTELLO, and Mr. RIGNEY objected, and the bill was stricken from the calendar.

MIDSHIPMEN APPOINTED AT LARGE

The Clerk called the bill (H. R. 7276) to increase the number of midshipmen allowed at the United States Naval Academy, appointed at large.

The SPEAKER pro tempore. Is there objection?

Mr. TABER. Mr. Speaker, I object.

SUBSIDY FOR INTERCOASTAL VESSELS

The Clerk called the bill (H. R. 10573) to authorize operating subsidy contracts for vessels engaged in intercoastal commerce of the United States, and for other purposes.

Mr. O'MALLEY, Mr. RICH, and Mr. LUECKE of Michigan objected, and the bill was stricken from the calendar.

ORGANIC ACT, VIRGIN ISLANDS

The Clerk called the bill (H. R. 10649) to amend sections 7, 14, and 20 of the Organic Act of the Virgin Islands of the United States (49 Stat. 1807).

The SPEAKER pro tempore. Is there objection?

Mr. RICH. Mr. Speaker, I would like to have some explanation of this bill.

Mr. LANZETTA. Mr. Speaker, this bill will give to the Governor of the Virgin Islands the privilege of the floor of the various legislative bodies together with the right to introduce legislation. The reason for this bill is that the Governor has been unsuccessful in having certain legislation introduced which he has recommended.

Mr. RICH. It seems to me that if the legislative body has any regard for the Governor who was appointed by the President of the United States, it would give consideration to the recommendations that he makes. Suppose we had to permit the President of the United States to come into the House of Representatives and say that he wants certain legislation. Naturally the gentleman would expect then that everybody would stand up and support the President of the United States. The legislative body ought to be free, and ought to be permitted to act in accordance with what it thinks is for the best interests of the islands and not be coerced.

Mr. LANZETTA. It is not a question of coercion. It is a question of passing legislation which will be of benefit to the islands.

Mr. CHURCH. Mr. Speaker, I demand the regular order.

The SPEAKER pro tempore. Is there objection?

Mr. CHURCH. Mr. Speaker, I object.

COMPLETION OF NAVY AND MARINE MEMORIAL

The Clerk called House Joint Resolution 403, to provide for the completion of the Navy and marine memorial.

Mr. TABER. Mr. Speaker, I ask unanimous consent that the bill go over without prejudice.

The SPEAKER pro tempore. Is there objection?

There was no objection.

SURVEY VESSELS FOR COAST AND GEODETIC SURVEY

The Clerk called the next bill, H. R. 10690, to authorize the construction of certain vessels for the Coast and Geodetic Survey, Department of Commerce, and for other purposes.

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, will not the gentleman from Virginia explain the necessity for the expenditure of \$1,425,000 for this purpose, and state whether he thinks it advisable to authorize the appropriation of this much money by unanimous consent.

Mr. BLAND. I certainly do, because these vessels are so urgently needed. When the bill was previously called on the Consent Calendar this question was gone into. We have gone into it again and we find such vessels are not available. There are 1,000 miles of the Alaska coast line, along the Aleutian Islands, that ought to be charted because it is so dangerous. The gentleman from Alaska can explain that. We went into it very fully. There is imperative need for these vessels and it is hoped they will be able to get some money out of the bill that passed.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. WOLCOTT. I yield.

Mr. McCORMACK. I join with the gentleman from Virginia in stating that there is imperative need for a special type of vessel for this work. Authorization for the construction of these vessels will result in enabling a needed service to be rendered. I have looked into the matter thoroughly and know there is need for it.

Mr. WOLCOTT. Mr. Speaker, in view of the statements made by the gentleman from Virginia and the gentleman from Massachusetts I withdraw any objection I have.

Mr. RICH. Mr. Speaker, reserving the right to object, I dislike very much to spend \$1,445,000 to build vessels when we are spending a billion and a quarter now on the Navy. I cannot understand why the Navy with its thousands of boats has not got some that it can devote to this service. The Delegate from Alaska explained the matter to me. I have also talked with the gentleman from Virginia. I have taken the statements of these gentlemen in good faith, but I cannot quite fathom why when we are spending a billion and a half on naval vessels, we cannot get some of the naval vessels to do this work. I know the work is important but I really think the Navy Department should be more willing to cooperate in doing this work. There ought to be better cooperation between these two branches of the Government.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That there is hereby authorized to be appropriated not to exceed \$1,425,000 to be expended by the Secretary of Commerce for the construction of one main surveying ship of not over 1,500 tons light displacement tonnage and of one auxiliary surveying vessel of not over 125 tons light displacement tonnage, including purchase or construction of complete equipment and outfit and including cost of preparation of plans, specifications, and inspection during construction, said ships to be designed and equipped for Coast and Geodetic Survey duties in Alaska.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. BLAND. Mr. Speaker, I ask unanimous consent to insert at this point in the Record a letter from the Director of the Coast and Geodetic Survey showing the necessity for these vessels.

The SPEAKER pro tempore. Without objection it is so ordered.

There was no objection.

The letter referred to follows:

DEPARTMENT OF COMMERCE,
UNITED STATES COAST AND GEODETIC SURVEY,
Washington, June 9, 1938.

HON. S. O. BLAND,

United States House of Representatives, Washington, D. C.

MY DEAR JUDGE BLAND: In connection with bill H. R. 10690 to authorize construction of certain vessels for the Coast and Geodetic Survey, I wish to furnish you with information on the particular needs of this Bureau for a modern surveying vessel of new construction. I wish to show you that it is neither practical, efficient, nor in the interest of the safety of personnel to attempt to make use of any vessel other than one especially constructed for the hazardous assignment to duty in the Aleutian Islands. Ordinarily a nondescript vessel can no more be used in surveying operations than can a tramp steamer be used by the Navy as a battleship. In this particular location there are exceptional hazards to be encountered by the personnel of the surveying ships. These waters have never been surveyed, the depths are unknown, and there are undiscovered rocks which lie close to the surface. The area is isolated, and immediate assistance cannot be expected from other vessels in the event of a grounding.

The vessel must be particularly heavily built, well divided into a number of watertight compartments so that accidental striking of the vessel on an uncharted rock in the progress of its necessarily hazardous surveying operations will not endanger the safety of the vessel or the lives of its personnel. The vessel must have ample power to proceed through these dangerous areas, but it also must be of a type which will be very efficient in its operation in view of the small appropriation for operating expenses.

A very large vessel cannot be used safely for maneuvering in the harbors and in close proximity to this rocky coast. Therefore it cannot be larger than about 1,500 tons, but, at the same time must be so designed that adequate space will be available to perform the varied surveying functions required. The survey vessel must have suitable quarters for a staff of surveyors, officers, and crew, including adequate drafting space. Such a vessel must have moderate draft to enable it to enter harbors and channels and at the same time must be sufficiently staunch and seaworthy to ride with safety the heavy gales prevailing in that locality.

A survey vessel is of a highly specialized type. The surveying equipment, such as echo sounding, radio-acoustic ranging, sounding machines, and much other equipment, must either be built

in or specially designed. Provision must be made to blanket out all extraneous electrical or radio waves in order that the precise acoustic equipment may be properly operated.

It is considered that the need for the survey of the Aleutian Islands is so important to the merchant marine, to the Coast Guard, and the Navy that it is unnecessary to enter into a discussion of the needs for charts of this chain of islands which extends nearly a thousand miles from the Alaska Peninsula toward Japan.

The proposed bill, H. R. 10690, is simply an authorization for a construction project. The matter of obtaining funds will be undertaken if the authorization is approved. If this authorization is not made and the Bureau thus becomes ineligible for P. W. A. funds under an established project, the matter must be resubmitted for an allocation from the regular appropriations to the Department. The amount is a moderate one, considering the construction cost for modern ships. It is in keeping with the recognized efficiency and economy of the Coast and Geodetic Survey in all its operations.

Respectfully yours,

L. O. COLBERT, Director.

Mr. DIMOND. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD at this point on the bill just passed and to include therein excerpts from certain letters relating to the subject.

Mr. Speaker, it is a matter of great satisfaction that the bill recently under consideration (H. R. 10690) to authorize the construction of two vessels for the Coast and Geodetic Survey, Department of Commerce, at a cost of not to exceed \$1,425,000, was not objected to and has now been passed by the House. I earnestly hope that it will receive similar consideration in the Senate. An identical bill (S. 4055) has been introduced in the Senate, has received a favorable report from the Senate Committee on Commerce, and is now on the Senate Calendar. I am informed that the Senate Calendar will be called today and thus an opportunity will be afforded for the substitution of the House bill, which we have just passed, for the Senate bill which is already on the Senate Calendar and thus the legislation can be successfully completed.

As pointed out by the distinguished chairman of the House Committee on Merchant Marine and Fisheries [Mr. BLAND] the bill is of the highest merit. As shown by the House report on the bill a large area still remains unsurveyed in the western part of Alaska and a distance of more than 1,000 miles in the Aleutian Islands alone is uncharted. This condition exists by reason of the fact that the United States Coast and Geodetic Survey has never had a sufficient number of vessels to undertake the work, nor have sufficient funds therefor been available. At the present time the work being done in that region is carried on by the *Surveyor*, which is now more than 20 years old and is really not suitable for the work. Another old wooden ship, the *Explorer*, which was built in 1904, is also used in Alaska survey work but that vessel is old and unseaworthy and should be decommissioned in the interests of safety, as well as efficiency and economy. The work is not without hazard and unnecessary peril should not be entailed upon the personnel by the use of vessels which are unseaworthy or unsafe for any reason.

It seems certain that the expenditure of the sum authorized by the bill will, in the long run, be a real economy for the United States Government, for by surveying and charting the unknown area, vessels of the United States as well as merchant vessels will be safe from destruction. In 1914 the Coast Guard cutter *Tahoma* was lost through striking a reef in the Aleutian Islands while on patrol duty. The reef upon which the vessel was stranded is about 50 miles due west of Kiska Island and is now known as Tahoma Reef. The Navy mine sweeper *Swallow* was stranded on Kanaga Island within the past year. The stranding of vessels on reefs is a poor and expensive way in which to discover their existence. I suppose that eventually, if no surveys are made, all of the reefs and bars and dangerous places in the Aleutian Islands and in the entire western area of Alaska will be discovered through the loss of vessels, and thus their presence can be indicated on charts with a fair degree of accuracy. But that method of having a survey made of the coast and of having the charts of the region reveal the hidden dangers can scarcely be called economical or scien-

tific—or even civilized. It is far better to provide the very modest sum desired in order to undertake the work in a systematic manner with the least possible danger to those involved in the survey and the greatest possible benefit to all who have occasion to visit the waters involved.

This bill was called on the calendar some days ago and on that occasion the gentleman from Pennsylvania [Mr. RICH] objected to its consideration and so it was passed over. Shortly thereafter I discussed the subject with the gentleman from Pennsylvania at some length and he suggested that I get information from the Navy Department as to whether or not it would be possible to secure the use of Navy vessels for doing the desired work and whether the Navy itself could not undertake it. Accordingly, I made careful inquiry of the Navy Department and was informed positively that no naval vessel was available for the service; that the type of vessel used in survey work must necessarily be of special construction and that the only survey vessel now in use in the Navy is the *Hannibal*, now 43 years old, a coal burner with an approximate radius of 500 miles. The Navy officials further pointed out to me that by provisions of permanent law the duty of making surveys of the coasts of the United States is imposed upon the United States Coast and Geodetic Survey and that the Navy is not authorized to make any such surveys except in case of emergency, and that consequently it would be in contravention of law for the Navy to undertake the work at this time of surveying western Alaska and the Aleutian Islands.

Further information on the subject is contained in the following excerpts of a letter written by the Director of the United States Coast and Geodetic Survey:

The work in the Aleutian Islands, which has already been started from the eastern end, as indicated in blue on the composite chart, would include a survey of the proposed new route between the Pacific Northwest and the Orient, which passes into the Bering Sea through Unimak Pass at the eastern end of the Aleutian Islands, follows along the north side of the chain and then passes through from Bering Sea to the Pacific again at the western end of the chain of islands. A survey of this proposed route has been repeatedly requested by the merchant marine. It is not only the shortest in distance but would enable eastbound vessels to make a safer and time-saving passage by avoiding the strong easterly setting current and the strong westerly gales over the present route south of the islands. Because of the lack of surveys over the proposed new route north of the Aleutian chain these vessels now have to follow the more hazardous route south of the islands.

The survey of the Aleutian Islands is a difficult task. The area is extremely isolated, the weather exceptionally stormy, and harbors of refuge are few and widely scattered, making it necessary for a survey vessel to make long runs to port for fuel and provisions. The Coast and Geodetic Survey, through lack of a suitable survey vessel, has been unable to take up this work at any great distance to the westward. The few surveying vessels now working in Alaskan waters are over 20 years old, and except for surveys in the vicinity of Dutch Harbor, at the eastern end of the islands, they cannot be used safely on this survey extending to the westward almost to the Siberian coast, and further, we have no suitable vessels which can be transferred to this duty from any other section.

Recently, as indicated in Committee Report 2427 accompanying H. R. 10690, dated May 23, 1938, this Bureau has endeavored to obtain suitable vessels from other services, such as the Coast Guard and the Navy, but has found none available that would in any sense of the word be suitable for surveying in this area.

A survey vessel is of a highly specialized type. The surveying equipment, such as echo soundings, radio acoustic ranging, sounding machines, and much other equipment must either be built in or specially designed. The survey vessel must have suitable quarters for a staff of surveyors, officers, and crew, including adequate drafting space. Such a vessel must have moderate draft to enable it to enter harbors and channels and at the same time must be sufficiently staunch and seaworthy to ride out with safety the heavy gales prevailing in that locality.

A very large vessel cannot be used with safety for maneuvering in the harbors and in close proximity to the coast. Therefore it should not be larger than about 1,500 tons and at the same time must be so designed that adequate space will be available for the varied operations on board. Such a vessel must have ample power for these dangerous areas, but in view of the small size of the Bureau's operating appropriations, it must be very efficient in operation.

The vessel must be particularly heavily built, well divided into a number of watertight compartments so that accidental striking of the vessel on an uncharted rock in the progress of its necessarily hazardous surveying operations will not endanger the safety of the vessel or the lives of its personnel. The surveying vessel

must have many other features impossible to obtain in any vessel not especially designed for surveying purposes. Such features are too numerous to mention and to explain without unduly lengthening this report. A nondescript vessel can no more be used in surveying operations than can a tramp steamer be used by the Navy as a battleship.

It must be borne in mind that, unlike other vessels which are furnished complete charts for their various routes, the surveying vessel during the whole of the surveying season is traversing wholly unsurveyed areas and is therefore continually subject to hidden dangers which have not yet been discovered and charted. It is obvious, therefore, that the surveying vessel must be especially staunchly constructed.

The two vessels, authorization for which is requested in the proposed bill, H. R. 10690, meet these conditions, and together will enable this Bureau to chart this important area efficiently and expeditiously, the larger vessel for deep-water work and the smaller one to act as tender for surveying in more shallow sections.

RELIEF OF OFFICERS AND EMPLOYEES OF THE UNITED STATES

The Clerk called the next bill, H. R. 9202, for the relief of certain disbursing officers of the United States and certain officers and employees of the Interior Department.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. TABER. Can anyone explain the bill? If not, I ask that the bill go over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

COLUMBIAN FOUNTAIN, WASHINGTON, D. C.

The Clerk called the joint resolution (H. J. Res. 664) authorizing the selection of a site and the erection thereon of the Columbian Fountain in Washington, D. C.

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent that the joint resolution may be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

THOMAS JEFFERSON MEMORIAL

The Clerk called the next bill, H. R. 10217, to provide for the competitive selection, subject to the approval of Congress, of the design for the Thomas Jefferson Memorial.

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, do I understand that the President has already approved a memorial design? If no one is here to explain the bill, I ask unanimous consent that it be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

NATIONAL CEMETERIES

The Clerk called the next bill, H. R. 6925, to provide for a national cemetery in every State.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War is authorized to accept (on behalf of, and without cost to, the United States) from any State title to such land as he deems suitable for national-cemetery purposes. Upon the acquisition of such land by the United States, the Secretary of War is authorized to establish thereon a national cemetery and to provide for the care and maintenance of such national cemetery.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COLONIAL NATIONAL HISTORICAL PARK

The Clerk called the next bill, H. R. 9875, to revise the boundaries of the Colonial National Historical Park in the State of Virginia, and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

Mr. BLAND. Mr. Speaker, I ask unanimous consent to substitute for the House bill a similar Senate bill (S. 3560) to revise the boundaries of the Colonial National Historical Park in the State of Virginia, and for other purposes.

Mr. RICH. Mr. Speaker, reserving the right to object, can the gentleman from Virginia tell us if this is not going to authorize the construction of a new parkway similar to the Blue Ridge Parkway or the Natchez-Trace Parkway, except that the one authorized by this bill will run between Jamestown and the islands along the river? I think the Government is building enough Blue Ridge Parkways and Natchez-Trace Parkways between national monuments. I question whether we should permit this bill to go through at this time.

Mr. BLAND. It is a continuation of the plan which was adopted some years ago in establishing colonial national monuments. The bill, so far as the parkway is concerned, simply changes the alternate route. It allows for another route.

Mr. RICH. This will require the Federal Government to make the purchase and construct and maintain a highway 800 feet wide.

Mr. BLAND. That is already provided in the bill passed by the Congress.

Mr. RICH. If we do not let this bill go through, we will not have to spend the money to build it.

Mr. BLAND. The appropriation has to be gotten from the Appropriations Committee, of which the gentleman is a very distinguished member.

Mr. RICH. I think we have gone far enough. Mr. Speaker, I object.

The SPEAKER pro tempore. The Chair may state the parliamentary situation. No objection was made to the consideration of the House bill. To the unanimous-consent request to substitute the Senate bill the gentleman from Pennsylvania reserved the right to object. Does the gentleman now insist upon his objection?

Mr. RICH. Yes; I tried to get recognition.

The SPEAKER pro tempore. It required three objections to the consideration of the House bill. If the gentleman presses his objection, the House may still pass the House bill.

Is there objection to the request of the gentleman from Virginia [Mr. BLAND] to substitute the Senate bill for the House bill?

Mr. RICH. Mr. Speaker, reserving the right to object, I do not object to this parkway any more than I do any park; but I will tell you right now, you fellows ought to be responsible. Where are you going to get the money? [Laughter.] That may be a laughing matter to some of you, but when you fellows go back home to your constituents you will have to tell them of the money you have been squandering.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

Mr. RICH. Mr. Speaker, I object.

The SPEAKER pro tempore. The Clerk will report the House bill.

The Clerk read the House bill, as follows:

Be it enacted, etc., That subject to all the laws and regulations applicable to the Colonial National Historical Park, the boundaries of said historical park as established by the act of June 5, 1936 (49 Stat. 1483), and as defined by Presidential Proclamation No. 2055, dated August 22, 1933 (48 Stat. 1706), are hereby revised by the elimination of the parkway area described in said proclamation as running north and west of the city of Williamsburg to Jamestown Island, and the substitution therefor of a parkway area running southerly through the city of Williamsburg, thence continuing south of said city to the James River and thence along said river and connecting waters to Jamestown Island, the exact location of which shall be determined by the Secretary of the Interior: *Provided,* That said parkway area shall not exceed an average of 500 feet in width outside the city of Williamsburg: *And provided further,* That condemnation proceedings shall not be had, exercised, or resorted to as to any lands in the city of Williamsburg except such lands as may be required for a right-of-way not exceeding 200 feet in width through said city to connect with highways or parkways leading from Williamsburg to Jamestown and Yorktown.

Sec. 2. The Secretary of the Interior is hereby authorized, in his discretion, to acquire by purchase, donation, or otherwise, in behalf of the United States, such lands or interests in lands, easements, and buildings comprising the following: Glass House Point, in James City County; the area known as The Hook, including the site of the action of October 3, 1781, in Gloucester County; and such additional lands as are desirable for the proper rounding out of the boundaries and for the administrative control of the Colonial

National Historical Park: *Provided*, That the total acreage of lands to be added to the park, with the exception of parkways under the terms hereof shall not exceed 750 acres: *Provided further*, That the said acquisition of lands or improvements shall be made from such funds as may be appropriated pursuant to the authorization of the act of March 3, 1931 (46 Stat. 1490), or from such other funds as may be appropriated from time to time by the Congress.

With the following committee amendment:

Page 3, line 4, strike out "or from such other funds as may be appropriated from time to time by the Congress."

The committee amendment was agreed to.

Mr. BLAND. Mr. Speaker, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. BLAND: Page 2, line 1, after the word "through", insert "or around."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TRAVEL ALLOWANCE TO RAILWAY MAIL CLERKS

The Clerk called the next bill, H. R. 10051, to provide for travel allowance to railway mail clerks assigned to road duty.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. FADDIS. Mr. Speaker, I object.

There being no further objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the eighth paragraph of section 7 of the act entitled "An act reclassifying the salaries of postmasters and employees of the Postal Service, readjusting their salaries and compensation on an equitable basis, increasing postal rates to provide for such readjustment, and for other purposes," approved February 28, 1925, as amended (43 Stat. 1062; U. S. C., 1934 edition, title 39, sec. 633), is amended to read as follows:

"In addition to the salaries provided by law, the Postmaster General shall make travel allowance in lieu of actual expenses, at fixed rates per annum, to railway postal clerks, acting railway postal clerks, and substitute railway postal clerks, including substitute railway postal clerks for railway postal clerks granted leave with pay on account of sickness, assigned to duty in railway-post-office cars, after beginning duty at the initial terminal of run, unless returning to initial terminal within six hours, under such regulations as he may prescribe, and in no case shall such an allowance exceed \$3 per day: *Provided*, That all regulations relating to travel allowance and any amendments thereto shall be published in the General Orders of all divisions of the Railway Mail Service."

With the following committee amendment:

Page 2, line 9, after the word "within", strike out "six" and insert "eight."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RELIEF OF GOVERNMENT CONTRACTORS

The Clerk called the next bill, H. R. 10306, to confer jurisdiction on the Court of Claims to hear, determine, and enter judgment upon the claims of Government contractors whose costs of performance were increased as a result of the National Industrial Recovery Act, June 16, 1933.

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

Mr. WALTERS. Mr. Speaker, I object.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. COSTELLO. Mr. Speaker, I object.

The SPEAKER pro tempore. Without objection, a similar Senate bill, S. 3628, will be substituted for the House bill.

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That jurisdiction is hereby conferred upon the Court of Claims to hear, determine, and enter judgments against the United States upon the claims of contractors, including com-

pleting sureties and all subcontractors and materialmen performing work or furnishing material to the contractor or another subcontractor, whose contracts were entered into on or before August 10, 1933, for increased costs incurred as a result of the enactment of the National Industrial Recovery Act: *Provided*, That (except as to claims for increased costs incurred between June 16, 1933, and August 10, 1933) this section shall apply only to such contractors, including completing sureties and all subcontractors and materialmen, whose claims were presented within the limitation period defined in section 4 of the act of June 16, 1934 (41 U. S. C., secs. 28-33).

Sec. 2. Suits upon such claims may be instituted at any time within 6 months after the enactment of this act or, at the option of the claimant, within 6 months after the completion of the contract. Proceedings for the determination of such claims, and appeals from and payment of any judgment thereon, shall be in the same manner as in the cases of claims over which such court has jurisdiction, as provided by law.

Sec. 3. Judgments or decrees, if any, under this act shall be allowed upon a fair and equitable basis, and notwithstanding the bars or defenses of any alleged settlement or adjustment heretofore made, res adjudicata, laches, or any provisions of Public Act No. 369, as enacted on June 16, 1934.

Sec. 4. This act shall not be interpreted as raising any presumption or conclusion of fact or law, but shall be held solely to provide for trial upon facts as may be alleged.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ACQUISITION OF THE MUIR WOOD TOLL ROAD, CALIFORNIA

The Clerk called the next bill, H. R. 10752, to authorize Federal cooperation in the acquisition of the Muir Wood Toll Road, located in Marin County, State of California, and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. TABER. Mr. Speaker, I object.

There being no further objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is authorized to expend, out of any roads and trails funds available to the National Park Service, Department of the Interior, the sum of not to exceed \$25,000 to match, dollar for dollar, such sum as may be required to be expended by the Department of Public Works, State of California, for the purpose of acquiring, as a part of the State or county free-road system, the road known as the "Muir Wood Toll Road", extending from the Marin County Panorama Highway to the Muir Woods National Monument and from there down the Frank Valley to its junction with the State highway near Muir Beach, Marin County, Calif.: *Provided*, That no such funds shall be expended until the State or county shall have taken action necessary to insure that title to the road will be acquired and until the State or county shall have agreed to assume full responsibility for the future maintenance and operation of the road in proper condition to accommodate the traffic thereon.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LOUISIANA VICKSBURG BRIDGE COMMISSION

The Clerk called the next bill, H. R. 10791, creating the Louisiana Vicksburg Bridge Commission; defining the authority, power, and duties of said commission; and authorizing said commission and its successors and assigns to purchase, maintain, and operate a bridge across the Mississippi River at or near Delta Point, La., and Vicksburg, Miss.

Mr. CHURCH, Mr. McGEHEE, Mr. COLMER, and Mr. SNELL objected.

OBLIGATIONS TO CERTAIN ENROLLED INDIANS UNDER TRIBAL AGREEMENT

The Clerk called the next bill, H. R. 3464, to carry out certain obligations to certain enrolled Indians under tribal agreement.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that the bill may be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

TAXES ON ALLOTTED INDIAN LANDS

The Clerk called the next bill, H. R. 10644, for the relief of Indians who have paid taxes on allotted lands for which patents in fee were issued without application by consent

of the allottees and subsequently canceled, and for other purposes.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that the bill may be passed over without prejudice.

Mr. CASE of South Dakota. Reserving the right to object, Mr. Speaker, this is a bill which has been worked out as a result of three trials to correct a situation for which the Indians themselves are not responsible. The units which tax them are not responsible. The report of the Department itself states that the only reason for the situation is an erroneous interpretation of law by the officers of the Interior Department.

The situation is this: During a period of time following 1917 some 10,000 patents were shoved out to trust Indians scattered through the various Western States without their application and without their consent, prior to the expiration of the trust period. Two Coeur d'Alene Indians attacked in the Federal courts the right of the Department of the Interior to issue these patents, with the result that the United States district court held that they were "forced patents," issued without either the application or the consent of the Indians, and were invalid patents. While these patents were in existence the local taxing units had no alternative but to levy and collect the taxes, and then distribute them to the various tax-levying bodies, so the taxes have passed beyond the hands of the counties which collected them.

The report of the Department states the following:

Clearly the local authorities were not at fault for taxing such lands while patents in fee were outstanding.

There have been some lands that have been mortgaged, encumbered, or sold. In such cases it is recognized that the Indian has tacitly accepted the issuance of the patents. However, in a few hundred cases it has been determined that these patents were forced upon the Indians without their consent, and that they have lost or are in danger of losing the land in such situations for unpaid taxes which the courts now say are illegal whenever the matter is taken to court.

First, we introduced a bill to investigate the title situation. It was the same bill that was offered by another Member in the previous Congress. That bill called for an authorization of \$100,000. The gentleman from Missouri very properly, I believe, objected to that bill on the ground that it was going to cost a lot of money for some needless study of records and would simply open the way for further appropriations to provide the relief indicated in these situations. Therefore, we went back and, for my immediate case, I offered a relief bill for the counties in my State. It went to the Claims Committee. That was the second approach.

The Department came back and stated that if relief is to be granted it should be granted to the Indians in all the Western States, wherever they may be. They went into the situation and recommended an amendment which is the bill verbatim that I then introduced and is now before us. The Department's recommendation placed a maximum limit of \$75,000, and they said that that amount would provide the amount needed to provide the relief for these trust Indians who are losing their lands, and who had the patents forced upon them.

It will relieve the situation where judgments have been taken against local taxing units where they lack legal authority to pay the judgment. Many of them lack funds and face bankruptcy by the loss of these lands taken from their tax rolls and the judgments taken for the taxes collected. Further, the funds are not in their possession, having been passed out to the towns or school districts or whoever it might be for whom the taxes were levied.

I realize that I am taking time now by courtesy of the House and that we do not yet have a direct Budget report on this bill. I assure the Members, however, that this is a matter of simple equity and justice.

Mr. Speaker, I hope this bill may be passed.

Mr. COCHRAN. Mr. Speaker, I am going to be required to object to the bill or ask that the bill go over without prejudice, because I have not had time to get the report on this new bill that just came in the other day. The Department has not reported on it. The old bill was strongly opposed by the Bureau of the Budget.

PERU AND INDIANAPOLIS RAILWAY POST OFFICE

The Clerk called the joint resolution (H. J. Res. 663) to provide for the operation of the Peru and Indianapolis railway post office by motor vehicle over the public highways.

Mr. RICH. Mr. Speaker, I ask unanimous consent that the joint resolution may be passed over without prejudice.

Mr. MEAD. Mr. Speaker, I hope the gentleman will withdraw his request. We discussed this joint resolution the other day. It will not cost the Department one cent. On the other hand, it will afford a fine laboratory to determine whether or not this is a beneficial service. It is discretionary with the Department, and the rates are fixed by the Interstate Commerce Commission.

This is the only place in the entire country where we have a sponsor ready to furnish this equipment. We have been wanting to try out this plan of operation for years, and here is the opportunity without any outlay of funds on the part of the Government.

I wish the gentleman would allow the joint resolution to go through and let the Senate act on it, if it will. No expense is involved, and expeditious mail service may result from this experiment.

The SPEAKER pro tempore. Is there objection to the present consideration of the joint resolution?

There being no objection, the Clerk read the joint resolution, as follows:

Resolved, etc., That upon the abandonment of the electric railway service between Peru and Indianapolis, Ind., the Postmaster General, for the purpose of continuing the postal service now afforded by the Peru and Indianapolis Railway Post Office, is authorized to contract for the transportation, including facilities for distribution in transit, of mail matter by means of motor vehicle or motor-vehicle mail compartments operated over the public highways between Peru and Indianapolis. Such service shall, for administrative purposes, be a part of the Railway Mail Service, and compensation to the contracting carrier shall be at the rates in force for the transportation of mail by railroad.

Mr. MEAD. Mr. Speaker, I offer a committee amendment. I sent this amendment to the desk on yesterday. This language was left out of the joint resolution when the joint resolution was rewritten.

The Clerk read as follows:

Amendment offered by Mr. MEAD: On page 2, line 2, after the word "rates", insert "fixed by the Interstate Commerce Commission."

The amendment was agreed to.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CUSTODIAL-SERVICE EMPLOYEES EMPLOYED BY THE POST OFFICE DEPARTMENT

The Clerk called the next bill, H. R. 9803, to extend to custodial-service employees employed by the Post Office Department certain benefits applicable to postal employees.

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent that the bill may be passed over without prejudice.

Mr. MEAD. If the gentleman will withhold his request so I may make an explanation, I will deeply appreciate it.

Mr. COSTELLO. I will do so, Mr. Speaker.

Mr. MEAD. Let me say to the membership of the House that in 1933, when the custodial employees of the Government were transferred from the Treasury to the Post Office Department, it was the endeavor of our committee to place them under the rules, regulations, and working conditions then obtaining in the Postal Service. In the Treasury Department, where these employees were formerly engaged, they were promoted by what is known as the classification method. In the Postal Service the postal employees are promoted by the automatic method, and it was our plan to treat

these custodial employees the same as other postal employees. This bill merely substitutes the automatic method of promotion for the classification method now in vogue. The committee went further than this and established definite salary ranges so that they cannot be promoted over a certain maximum grade.

I believe this is good legislation because it supplants the old method of merit plus favoritism in some instances, and discrimination in others, for the automatic method which, in my judgment, is the fairest.

Mr. McCORMACK. Mr. Speaker, reserving the right to object, everything the gentleman from New York has said is absolutely correct.

If the unanimous-consent request of the gentleman from California [Mr. COSTELLO] is complied with we all know that the granting of that request would create a laughable situation at this time, as that will mean that the bill will not be acted upon, and I therefore hope the gentleman will not object. I shall be compelled to object to his request, and I hope he will not object to the consideration of the bill.

Mr. COSTELLO. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. Yes, surely.

Mr. COSTELLO. My request was made because of the report coming from the Post Office Department which shows that if this legislation is passed you are going to take the custodial employees of the Post Office Department and give them treatment different from that which other custodial employees in other departments are receiving; in other words, you are possibly going to throw out of line the salaries which Post Office employees are receiving as compared with salaries of other persons doing exactly the same type of work. I do not believe the custodial employees of the Post Office Department should be put upon a particular pay scale that in any way is different from the regular scale throughout the other departments. I think the treatment should be uniform.

Mr. MEAD. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from New York.

Mr. MEAD. The custodial employees engaged in the care and maintenance of our Federal buildings housing postal activities were transferred to the Postal Service in 1933. They comprise about 90 percent of the entire custodial force in the Government service. In my judgment, these men who are working in the post offices of the country ought to be treated the same as other postal employees.

Mr. McCORMACK. Especially where they are under the same jurisdiction.

Mr. MEAD. They are under the same jurisdiction, being under the postmaster in these towns.

Mr. McCORMACK. I hope my friend will not press his request that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California [Mr. COSTELLO] that the bill be passed over without prejudice?

Mr. McCORMACK. I object, Mr. Speaker.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. FADDIS. Mr. Speaker, I object.

AMENDMENT OF UNIFORM SYSTEM OF BANKRUPTCY ACT

The Clerk called the next bill, H. R. 10753, to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplemental thereto.

Mr. WILCOX. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

OMAHA-COUNCIL BLUFFS BRIDGE

The Clerk called the bill (H. R. 10726) to provide that the Omaha-Council Bluffs Missouri River Bridge Board of Trustees shall be composed wholly of public officers.

Mr. CHURCH. Mr. Speaker, I ask unanimous consent that the bill go over without prejudice.

The SPEAKER pro tempore. Is there objection?

There was no objection.

BRIDGE ACROSS RAINY RIVER, AT BAUDETTE, MINN.

The Clerk called the bill (H. R. 10777) authorizing the village of Baudette, State of Minnesota, its successors and assigns, to construct, maintain, and operate a bridge across the Rainy River at Baudette, Minn.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in order to facilitate international commerce, improve the postal service, and provide for military and other purposes the village of Baudette, Minn., its successors and assigns, be, and it is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Rainy River, so far as the United States has jurisdiction over the waters of such river, at a point suitable to the interests of navigation at Baudette, Minn., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, subject to the conditions and limitations contained in this act, and subject to the approval of the proper authorities in Canada.

There is hereby conferred upon the village of Baudette, Minn., its successors and assigns, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property in the State of Minnesota, needed for the location, construction, operation, and maintenance of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State of Minnesota upon making just compensation therefor to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purpose in such State.

That the said village of Baudette, Minn., its successors and assigns, are hereby authorized to fix and charge tolls for transit over such bridge in accordance with any laws of Canada applicable thereto, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the act of March 23, 1906.

The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this act is hereby granted to the village of Baudette, Minn., its successors and assigns; and any corporation to which or any person to whom such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same by mortgage foreclosure or otherwise, is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon such corporation or person.

The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following amendment:

Page 1, line 4, strike out the words "military and."

The committee amendment was agreed to; and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

BRIDGE ACROSS MISSISSIPPI, CASSVILLE, WIS.

The Clerk called the bill (H. R. 10842) creating the Cassville-Guttenberg Bridge Commission and authorizing said commission and its successors to construct, maintain, and operate a bridge or bridges across the Mississippi River at or near Cassville, Wis., and Guttenberg, Iowa.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in order to facilitate interstate commerce, improve the postal service, and provide for military and other purposes, the Cassville-Guttenberg Bridge Commission (hereinafter created, and hereinafter referred to as the "Commission"), and its successors and assigns, be, and are hereby, authorized to construct, maintain, and operate a bridge or bridges and approaches thereto across the Mississippi River at or near the town of Cassville, Wis., and the town of Guttenberg, Iowa, at a point suitable to the interest of navigation, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, subject to the conditions and limitations contained in this act.

SEC. 2. There is hereby conferred upon the Commission and its successors and assigns the right and power to enter upon such lands and to acquire, condemn, occupy, possess, and use such real estate and other property in the State of Wisconsin and the State of Iowa, including real estate and other property acquired for or devoted to a public use or other purposes by the State of Wisconsin or the State of Iowa, or any governmental or political subdivisions thereof, as may be needed for the location, construction, operation, and maintenance of any such bridge and its

approaches, upon making just compensation therefor, to be ascertained and paid according to the laws of the State in which such real estate or other property is situated, and the proceedings therefor shall be the same as in the condemnation of private property for public purpose in said States, respectively.

SEC. 3. The Commission and its successors and assigns are hereby authorized to fix and charge tolls for transit over such bridge or bridges in accordance with the provisions of this act, subject to the approval of the Secretary of War as provided by the act of Congress approved March 23, 1906.

SEC. 4. The Commission and its successors and assigns are hereby authorized to provide for the payment of the cost of such bridge or bridges as may be constructed, as provided herein, and approaches (including the approach highways which, in the judgment of the Commission, it is necessary or advisable to construct or cause to be constructed to provide suitable and adequate connection with existing improved highways) and the necessary land, easements, and appurtenances thereto, by an issue or issues of negotiable bonds of the Commission, bearing interest at the rate or rates of not more than 6 percent per annum, the principal and interest of which bonds, and any premium to be paid for retirement thereof before maturity, shall be payable solely from the sinking fund provided in accordance with this act, and such payments may be further secured by mortgage of the bridge or bridges. All such bonds may be registerable as to principal alone or both principal and interest, shall be in such form not inconsistent with this act, shall mature at such time or times not exceeding 25 years from their respective dates, shall be in such denominations, shall be executed in such manner, and shall be payable in such medium and at such place or places as the Commission may determine. The Commission may repurchase and may reserve the right to redeem all or any of said bonds before maturity in such manner and at such price or prices, not exceeding 105 and accrued interest, as may be fixed by the Commission prior to the issuance of the bonds. The Commission, when it deems it to be to the best interest of the Commission, may issue refunding bonds to repurchase and redeem any outstanding bonds, before the maturity thereof: *Provided*, That the refunding bonds shall mature at such time or times, not exceeding 50 years from the date of approval of this act, as the Commission may determine. The Commission may enter into an agreement with any bank or trust company in the United States, as trustee having the power to make such agreement, setting forth the duties of the Commission in respect to the construction, maintenance, operation, repair, and insurance of the bridge or bridges, the conservation and application of all funds, the security for the payment of the bonds, the safeguarding of money on hand or on deposit, and the rights and remedies of said trustee and the holders of the bonds, restricting the individual right of action of the bondholders as is customary in trust agreements respecting bonds of corporations. Such trust agreement may contain such provisions for protecting and enforcing the rights and remedies of the trustee and the bondholders as may be reasonable and proper and not inconsistent with the law.

The bridge or bridges constructed under the authority of the act shall be deemed to be Federal instrumentalities for interstate commerce, the Postal Service, and military and other purposes authorized by the Government of the United States, and said bridge or bridges and the bonds issued in connection therewith and the income derived therefrom shall be exempt from all Federal, State, municipal, and local taxation. Said bonds shall be sold in such manner and at such time or times and at such price as the Commission may determine, but no such sale shall be made at a price so low as to require the payment of more than 6-percent interest on the money received therefor, computed with relation to the absolute maturity of the bonds in accordance with standard tables of bond values, and the face amount thereof shall be so calculated as to produce, at the price of their sale, the cost of the bridge or bridges, constructed, and approaches and the land, easements, and appurtenances used in connection therewith when added to any other funds made available to the Commission for the use of said purposes. The cost of the bridge to be constructed as provided herein, together with approaches and approach highways, shall be deemed to include interest during construction of the said bridge, and for 12 months thereafter, and all engineering, legal, architectural, traffic surveying, and other expenses incident to the construction of the bridge and the acquisition of the necessary property, incident to the financing thereof. If the proceeds of the bonds issued shall exceed the cost as finally determined, the excess shall be placed in the sinking fund hereinafter provided. Prior to the preparation of definite bonds the Commission may, under like restrictions, issue temporary bonds or interim certificates, with or without coupons, of any denomination whatsoever, exchangeable for definite bonds when such bonds that have been executed are available for delivery.

SEC. 5. In fixing the rates of toll to be charged for the use of such bridge or bridges, in accordance with the act of Congress approved March 23, 1906, the same shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge or bridges and approaches under economical management, and to provide a sinking fund sufficient to pay the principal and interest of such bonds as the same shall fall due and the redemption or repurchase price of all or any thereof redeemed or repurchased before maturity as herein provided. All tolls and other revenues from said bridge or bridges are hereby pledged to such uses and to the application thereof as hereinafter in this section required. After payment or provision for payment therefrom

of all such cost of maintaining, repairing, and operating and the reservation of an amount of money estimated to be sufficient for the same purpose during an ensuing period of not more than 6 months, the remainder of tolls collected shall be placed in the sinking fund, at intervals to be determined by the Commission prior to the issuance of the bonds. An accurate record of the cost of the bridge or bridges and approaches; the expenditures for maintaining, repairing, and operating the same; and of the daily tolls collected, shall be kept and shall be available for the information of all persons interested. The Commission shall classify in a reasonable way all traffic over the bridge or bridges so that the tolls shall be so fixed and adjusted by it as to be uniform in the application thereof to all traffic falling within reasonable classes, regardless of the status or character of any person, firm, or corporation participating in such traffic, and shall prevent all use of such bridge or bridges for traffic except upon payment of tolls so fixed and adjusted. No toll shall be charged officials or employees of the Commission, nor shall toll be charged officials of the Government of the United States while in the discharge of duties incident to their office or employment, nor shall toll be charged members of the fire department or peace officers when engaged in the performance of their official duties.

Within a reasonable time after the construction of any bridge or bridges, or the purchase of any bridge or bridges, the Commission shall file with the Bureau of Public Roads of the United States Department of Agriculture a sworn itemized statement showing the cost of constructing its approaches, the cost of acquiring any interest in real or other property necessary therefor, and the amount of bonds, debentures, or other evidence of indebtedness issued in connection with the construction of said bridge or bridges.

SEC. 6. After payment of the bonds and interest, or after a sinking fund sufficient for such payment shall have been provided and shall be held for that purpose, the Commission shall deliver deeds or other suitable instruments of conveyance of the interest of the Commission in and to the bridge or bridges extending between the State of Iowa and the State of Wisconsin, that part of said bridge or bridges within Iowa to the State of Iowa or any municipality or agency thereof as may be authorized by or pursuant to law to accept the same (hereafter referred to as the "Iowa interest") and that part of said bridge or bridges within Wisconsin to the State of Wisconsin or any municipality or agency thereof as may be authorized by or pursuant to law to accept the same (hereinafter referred to as the "Wisconsin interests"), under the condition that the bridge or bridges shall thereafter be free of tolls and be properly maintained, operated, and repaired by the Iowa interests and the Wisconsin interests, as may be agreed upon; but if the Iowa, or Wisconsin interests, as the case may be, fail to accept, or are not authorized to accept, their respective portions of said bridge or bridges, then the Commission may deliver deeds, or other suitable instruments or conveyance of said portions, to any other interest which may accept and may be authorized to accept the same, under the condition that the bridge or bridges shall thereafter be free of toll and be properly maintained, operated, and repaired by said interests to whom said conveyances are delivered; but if either the Iowa interests or the Wisconsin interests, or any other interest hereinabove mentioned, shall not be authorized to accept or shall not accept the same under such conditions, then the bridge or bridges shall continue to be owned, maintained, operated, and repaired by the Commission, and the rates of tolls shall be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge or bridges and approaches under economical management, until such time as the Iowa interests, the Wisconsin interests, or any other interest hereinabove mentioned, shall be authorized to accept and shall accept such conveyance under such conditions.

(a) Notwithstanding any restrictions or limitation imposed by the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, or by the Federal Highway Act, or by an act amendatory of or supplemental to either thereof, the Secretary of Agriculture or any other Federal department or agency of the United States Government may extend Federal aid under such acts for the construction of said bridge or bridges out of any moneys allocated to the State of Iowa with the consent of the State Highway Commission of said State, and out of moneys allocated to the State of Wisconsin with the consent of the Department of Highways of said State.

SEC. 7. For the purpose of carrying into effect the objects stated in this act, there is hereby created the Cassville-Guttenberg Bridge Commission, and by that name, style, and title said body shall have perpetual succession; may contract and be contracted with, sue and be sued, implead and be impleaded, complain and defend in all courts of law and equity; may make and have a common seal; may purchase or otherwise acquire and hold or dispose of real estate and other property; may accept and receive donations or gifts of money or property and apply same to the purposes of this act; and shall have and possess all powers necessary, convenient, or proper for carrying into effect the objects stated in this act.

The Commission shall consist of Ray J. Eckstein, of Cassville, Wis.; Foster Porter, of Bloomington, Wis.; Hugh Harper, of Lancaster, Wis.; John Adams and Cletus Saeugling, of Guttenberg, Iowa; such Commission shall be a public body corporate and politic. Each member of the Commission shall qualify within 30 days after the approval of this act by filing in the office of the

Secretary of Agriculture an oath that he will faithfully perform the duties imposed upon him by this act, and each person appointed to fill a vacancy shall qualify in like manner within 30 days after his appointment. Any vacancy occurring in said Commission by reason of death or resignation shall be filled by the Secretary of Agriculture. Before the issuance of bonds as hereinabove provided, each member of the Commission shall give such bond as may be fixed by the Chief of the Bureau of Public Roads of the Department of Agriculture, conditioned upon the faithful performance of all duties required by this act, the cost of such surety prior to and during the construction of the bridge shall be paid or reimbursed from the bond proceeds and thereafter such costs shall be deemed an operating expense. The Commission shall elect a chairman and a vice chairman from its members, and may establish rules and regulations for the government of its own business. A majority of the members shall constitute a quorum for the transaction of business.

Sec. 8. The Commission shall have no capital stock or shares of interest or participation, and all revenues and receipts thereof shall be applied to the purposes specified in this act. The members of the Commission shall be entitled to a per diem compensation for their services of \$10 for each day actually spent in the business of the Commission, but the maximum compensation of the chairman in any year shall not exceed \$1,200, and of each other member shall not exceed \$600. The members of the Commission shall also be entitled to receive traveling-expense allowance of 10 cents a mile for each mile actually traveled on the business of the Commission. The Commission may employ a secretary, treasurer, engineers, attorneys, and other such experts, assistants, and employees as they may deem necessary, who shall be entitled to receive such compensation as the Commission may determine. All salaries and expenses shall be paid solely from the funds provided under the authority of this act. After all bonds and interest thereon shall have been paid and all other obligations of the Commission paid or discharged, or provision for all such payment shall have been made as hereinbefore provided and after the bridge or bridges shall have been conveyed to the Iowa interests, and the Wisconsin interests, as herein provided, or otherwise disposed of as provided herein, the Commission shall be dissolved and shall cease to have further existence by an order of the Chief of the Bureau of Public Roads made upon his own initiative or upon application of the Commission or any member or members thereof, but only after a public hearing in the town of Cassville, Wis., notice of the time and place of which hearing and the purpose thereof shall have been published once, at least 30 days before the date thereof, in a newspaper of general circulation published in Grant County, Wis. At the time of such dissolution all moneys in the hands of or to the credit of the Commission shall be divided and distribution made between the interests of the States, as may be determined by the Chief of the Bureau of Public Roads of the United States.

Sec. 9. Notwithstanding any of the provisions of this act, the Commission shall have full power and authority to negotiate and enter into a contract or contracts with the State Highway Commission of Iowa and the State Highway Department of Wisconsin, or any county or municipality in the State of Iowa or the State of Wisconsin, or both, whereby the Commission may receive financial aid in the construction or maintenance of a bridge or bridges and approaches thereto, and said Commission in its discretion may avail itself of all of the facilities of the State Highway Commission of the State of Iowa and the State Highway Department of Wisconsin with regard to the construction of said proposed bridge or bridges, and the Commission may make and enter into any contract or contracts, which it deems expedient and proper with the State Highway Commission of Iowa and the State Highway Department of Wisconsin, whereby said highway departments or either of them may construct, operate, and maintain or participate with the Commission in the construction, operation, maintenance of said bridge or bridges to be constructed hereunder, and approaches. It is hereby declared to be the purpose of Congress to facilitate the construction of a bridge and proper approaches across the Mississippi River at or near the town of Cassville, Wis., and the town of Guttenberg, Iowa, and to authorize the Commission to promote said object and purposes, with full power to contract with either the State Highway Commission of Iowa or the State Highway Department of Wisconsin or with any agency or department of the Federal Government, or both, in relation to the purchase or condemnation, construction, operation, and maintenance of said bridges and approaches.

Sec. 10. Nothing herein contained shall be construed to authorize or permit the Commission or any member thereof to create any obligation or incur any liability other than such obligations and liabilities as are dischargeable solely from funds contemplated to be provided by this act. No obligation created or liability incurred pursuant to this act shall be a personal obligation or liability of any member or members of the Commission but shall be chargeable solely to the funds herein provided, nor shall any indebtedness created pursuant to this act be an indebtedness of the United States.

Sec. 11. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

SALARIES OF JUDGES UNDER ACT OF MAY 31, 1938

The Clerk called House Joint Resolution 715, in respect to salaries of judges and justices appointed under the act of May 31, 1938.

The SPEAKER. Is there objection?

Mr. TABER. Mr. Speaker, I object.

Mr. WALTER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WALTER. When this bill was called yesterday it was objected to. Are there three objections required this morning?

The SPEAKER. Three objections are not required. This concludes the calling of the Consent Calendar.

REGULATION OF COMMERCE IN FIREARMS

Mr. WADSWORTH. Mr. Speaker, I ask unanimous consent that the House return to 876 on the calendar, S. 3, to regulate commerce in firearms.

The SPEAKER. The Clerk will report the title of the bill.

The Clerk reported the title of the bill.

The SPEAKER. Is there objection?

Mr. CASE of South Dakota. Mr. Speaker, I reserve the right to object. Is this the bill that provides for registry of firearms by those who now own them?

Mr. WADSWORTH. It is not. May I say to the gentleman, and to others interested, that this bill is supported by the National Rifle Association, and generally by the sportsmen's clubs of the United States. It does not contain that very-much-objected-to provision for registration of individual firearms in the hands of the possessors.

Mr. GREEVER. This bill merely requires the registration of a dealer with the Treasury Department in order that track may be kept of the gun?

Mr. WADSWORTH. By the manufacturers and dealers. The manufacturer will be required to stamp a serial number on each piece, and the dealer keeps a record of the receipt of these guns and as he disposes of them to the public at retail he keeps a record of the number of each gun that he has sold to such and such a person. The object of the whole thing is to keep track of the guns so that when they are found in the hands of gangsters or fugitives from justice, who are defined in the act, the police authorities can have better control over the illegal traffic in guns by criminals.

Mr. CRAWFORD. And there is nothing in this bill which requires the owner of a rifle or a six-shooter, or a pistol, automatic or otherwise, to register his gun. That is entirely left up to the States?

Mr. WADSWORTH. That is entirely left out.

Mr. McCORMACK. In connection with that, the gentleman's statement is correct. There is a bill pending now in the Ways and Means Committee. My mind is open upon it as to whether it is advisable.

I wanted to make the observation so that no Member would feel that this legislation is connected with the so-called licensing or registry bill which is pending in the Committee on Ways and Means.

Mr. WADSWORTH. The gentleman is correct.

Mr. O'MALLEY. Does this bill in any way restrict the dealer in his sales?

Mr. WADSWORTH. It does not.

Mr. O'MALLEY. Except to criminals. Does it restrict sales to criminals?

Mr. WADSWORTH. If he sells knowingly to criminals he is, of course, liable to punishment.

Mr. O'MALLEY. But it does not restrict his sales of ordinary arms to ordinary people.

Mr. WADSWORTH. No.

Mr. MICHENER. Mr. Speaker, reserving the right to object, this is not the bill asked for by the Department of Justice.

Mr. WADSWORTH. It is not.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That as used in this act—

(1) The term "person" includes an individual, partnership, association, or corporation.

(2) The term "interstate or foreign commerce" means commerce between any State, Territory, or possession (including the Philippine Islands), or the District of Columbia, and any place outside thereof; or between points within the same State, Territory, or possession (including the Philippine Islands), or the District of Columbia, but through any place outside thereof; or within any Territory or possession or the District of Columbia.

(3) The term "firearm" means any weapon, by whatever name known, which is designed to expel a projectile or projectiles by the action of an explosive and a firearm muffler or firearm silencer.

(4) The term "manufacturer" means any person engaged in the manufacture or importation of firearms, or ammunition or cartridge cases, primers, bullets, or propellant powder for purposes of sale or distribution; and the term "licensed manufacturer" means any such person licensed under the provisions of this act.

(5) The term "dealer" means any person engaged in the business of selling firearms or ammunition or cartridge cases, primers, bullets or propellant powder, at wholesale or retail, or any person engaged in the business of repairing such firearms or of manufacturing or fitting special barrels, stocks, trigger mechanisms, or breach mechanisms to firearms, and the term "licensed dealer" means any such person licensed under the provisions of this act.

(6) The term "crime of violence" means murder, manslaughter, rape, mayhem, kidnapping, burglary, housebreaking, assault with intent to kill, commit rape, or rob; assault with a dangerous weapon, or assault with intent to commit any offense punishable by imprisonment for more than 1 year.

(7) The term "fugitive from justice" means any person who has fled from any State, Territory, the District of Columbia, or possession of the United States to avoid prosecution for a crime of violence or to avoid giving testimony in any criminal proceedings.

(8) The term "ammunition" shall include all pistol or revolver ammunition except 22-caliber rim-fire ammunition.

SEC. 2. (a) It shall be unlawful for any manufacturer or dealer, except a manufacturer or dealer having a license issued under the provisions of this act, to transport, ship, or receive any firearm or ammunition in interstate or foreign commerce.

(b) It shall be unlawful for any person to receive any firearm or ammunition transported or shipped in interstate or foreign commerce in violation of subdivision (a) of this section, knowing or having reasonable cause to believe such firearms or ammunition to have been transported or shipped in violation of subdivision (a) of this section.

(c) It shall be unlawful for any licensed manufacturer or dealer to transport or ship any firearm in interstate or foreign commerce to any person other than a licensed manufacturer or dealer in any State the laws of which require that a license be obtained for the purchase of such firearm, unless such license is exhibited to such manufacturer or dealer by the prospective purchaser.

(d) It shall be unlawful for any person to ship, transport, or cause to be shipped or transported in interstate or foreign commerce any firearm or ammunition to any person knowing or having reasonable cause to believe that such person is under indictment or has been convicted in any court of the United States, the several States, Territories, possessions (including the Philippine Islands), or the District of Columbia of a crime of violence or is a fugitive from justice.

(e) It shall be unlawful for any person who is under indictment or who has been convicted of a crime of violence or who is a fugitive from justice to ship, transport, or cause to be shipped or transported in interstate or foreign commerce any firearm or ammunition.

(f) It shall be unlawful for any person who has been convicted of a crime of violence or is a fugitive from justice to receive any firearm or ammunition which has been shipped or transported in interstate or foreign commerce, and the possession of a firearm or ammunition by any such person shall be presumptive evidence that such firearm or ammunition was shipped or transported or received, as the case may be, by such person in violation of this act.

(g) It shall be unlawful for any person to transport or ship or cause to be transported or shipped in interstate or foreign commerce any stolen firearm or ammunition, knowing, or having reasonable cause to believe, same to have been stolen.

(h) It shall be unlawful for any person to receive, conceal, store, barter, sell, or dispose of any firearm or ammunition or to pledge or accept as security for a loan any firearm or ammunition moving in or which is a part of interstate or foreign commerce, and which while so moving or constituting such part has been stolen, knowing, or having reasonable cause to believe the same to have been stolen.

(i) It shall be unlawful for any person to transport, ship, or knowingly receive in interstate or foreign commerce any firearm from which the manufacturer's serial number has been removed, obliterated, or altered, and the possession of any such firearm shall be presumptive evidence that such firearm was transported, shipped, or received, as the case may be, by the possessor in violation of this act.

SEC. 3. (a) Any manufacturer or dealer desiring a license to transport, ship, or receive firearms or ammunition in interstate or foreign commerce shall make application to the Secretary of Commerce, who shall prescribe by rules and regulations the information to be contained in such application. The applicant shall, if a manufacturer, pay a fee of \$100, and if a dealer, shall pay a fee of \$1.

(b) Upon payment of the prescribed fee, the Secretary of Commerce shall issue to such applicant a license which shall entitle the licensee to transport, ship, and receive firearms and ammunition in interstate and foreign commerce unless and until the license is suspended or revoked in accordance with the provisions of this act: *Provided*, That no license shall be issued to any applicant within 2 years after the revocation of a previous license.

(c) Whenever any licensee is convicted of a violation of any of the provisions of this act, it shall be the duty of the clerk of the court to notify the Secretary of Commerce within 48 hours after such conviction and said Secretary shall revoke such license: *Provided*, That in the case of appeal from such conviction the licensee may furnish a bond in the amount of \$1,000, and upon receipt of such bond acceptable to the Secretary of Commerce he may permit the licensee to continue business during the period of the appeal, or should the licensee refuse or neglect to furnish such bond, the Secretary of Commerce shall suspend such license until he is notified by the clerk of the court of last appeal as to the final disposition of the case.

(d) Licensed dealers shall maintain such permanent records of importation, shipment, and other disposal of firearms and ammunition as the Secretary of Commerce shall prescribe.

SEC. 4. The provisions of this act shall not apply with respect to the transportation, shipment, receipt, or importation of any firearm, or ammunition, sold or shipped to, or issued for the use of, (1) the United States or any department, independent establishment, or agency thereof; (2) any State, Territory, or possession, or the District of Columbia, or any department, independent establishment, agency, or any political subdivision thereof; (3) any duly commissioned officer or agent of the United States, a State, Territory, or possession, or the District of Columbia, or any political subdivision thereof; (4) or to any bank, public carrier, express, or armored-truck company organized and operating in good faith for the transportation of money and valuables; (5) or to any research laboratory designated by the Secretary of Commerce: *Provided*, That such bank, public carriers, express, and armored-truck companies are granted exemption by the Secretary of Commerce; nor to the transportation, shipment, or receipt of any antique or unserviceable firearms, or ammunition, possessed and held as curios or museum pieces.

SEC. 5. Any person violating any of the provisions of this act or any rules and regulations promulgated hereunder, or who makes any statement in applying for the license or exemption provided for in this act, knowing such statement to be false, shall, upon conviction thereof, be fined not more than \$2,000, or imprisoned for not more than 5 years, or both.

SEC. 6. This act shall take effect 30 days after its enactment.

SEC. 7. The Secretary of Commerce may prescribe such rules and regulations as he deems necessary to carry out the provisions of this act.

SEC. 8. Should any section or subsection of this act be declared unconstitutional, the remaining portion of the act shall remain in full force and effect.

SEC. 9. This act may be cited as the Federal Firearms Act.

With the following committee amendments:

Page 1, line 8, after the word "Islands", insert "but not including the Canal Zone."

Page 1, line 11, after the word "Islands", insert "but not including the Canal Zone."

Page 2, line 6, before the period, insert a comma and the following: "or any part or parts of such weapon."

Page 5, line 24, strike out "Commerce" and insert "the Treasury."

Page 6, line 2, strike out "\$100" and insert "\$25 per annum."

Page 6, line 2, before the period, insert "per annum."

Page 6, line 4, strike out "Commerce" and insert "the Treasury."

Page 6, line 13, strike out "Commerce" and insert "the Treasury."

Page 6, line 18, strike out "Commerce" and insert "the Treasury."

Page 6, line 21, strike out "Commerce" and insert "the Treasury."

Page 7, line 1, strike out "Commerce" and insert "the Treasury."

Page 7, line 17, strike out "Commerce" and insert "the Treasury."

Page 7, line 19, strike out "Commerce" and insert "the Treasury."

Page 7, line 22, before the period, insert a colon and the following: "*Provided*, That nothing herein contained shall be construed to prevent shipments of firearms and ammunition to institutions, organizations, or persons to whom such firearms and ammunition may be lawfully delivered by the Secretary of War, nor to prevent the transportation of such firearms and ammunition so delivered by their lawful possessors while they are engaged in military training or in competitions."

Page 8, line 7, strike out "Commerce" and insert "the Treasury."

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. LUTHER A. JOHNSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection it is so ordered.

MR. LAMBETH AND MR. UMSTEAD

Mr. LUTHER A. JOHNSON. Mr. Speaker, I wish to pay a brief, but deserved, tribute to one of our colleagues who is voluntarily retiring as a Member of this House. I refer to the gentleman from North Carolina [Mr. LAMBETH].

For 8 years I have served with him as a member of the Foreign Affairs Committee and have, therefore, been closely associated with him in the performance of duty, and have come to know him intimately and well, and have for him great admiration and a deep and affectionate regard.

To my mind, he is the ideal type of man to serve as a Member of the Congress of the United States, courteous and tactful, possessing intellectual ability in a marked degree, a high sense of justice, sound judgment, a good stock of common sense and a pleasing personality, combined with a courageous and determined will to carry out his convictions of what he conceives to be right. He has breadth of vision, the love of country, and a devotion to the ideals and best traditions of our Republic. The Nation will lose an able, faithful, and conscientious servant when he retires, and the entire membership of this House, on both sides of the aisle, will miss him; and I am sure that I speak not only my own sentiment but yours as well when I say he carries with him, as he voluntarily retires to private life, the esteem, affection, good will, and best wishes of this House.

What I have said of him can just as truly be said of his able colleague from North Carolina [Mr. UMSTEAD], who is also voluntarily retiring.

I do not know who the successors of these two able gentlemen from North Carolina will be, but I seriously doubt whether the electorate of their districts can find two men who will measure up to the high standard of statesmanship displayed by them as Members of this House, and I know that none can ever command in a higher degree the warmth of affection and esteem that this House entertains for WALTER LAMBETH and BILL UMSTEAD. May the future hold in store for them the full measure of health, happiness, and prosperity which they both so richly deserve.

Mr. MAAS. Mr. Speaker, I ask unanimous consent to return to Calendar 874, S. 1131, as I understand objection has been withdrawn.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

AMENDING PART OF NAVAL APPROPRIATIONS ACT, 1921

Mr. MAAS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 1131) to amend the part of the act entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1921, and for other purposes", approved June 4, 1920, relating to the conservation, care, custody, protection, and operation of the naval petroleum and oil-shale reserves.

The Clerk read the title of the bill.

Mr. PHILLIPS. Mr. Speaker, reserving the right to object, assurance has been given me that the Senate will not change the House bill as it now stands with the protecting amendments the Committee on Naval Affairs has thrown around it. This being the case I shall not object.

Mr. DIES. Mr. Speaker, reserving the right to object, will the gentleman explain this bill?

Mr. MAAS. This is the bill that protects the oil reserves. At the present time there is no protection and offset wells are about to be drilled.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the part of the act entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1921, and for other purposes," approved June 4, 1920 (41 Stat. 813), relating to the conservation, care, custody, protection, and operation of the naval petroleum and oil-shale

reserves, contained in the paragraph entitled "Investigation of fuel oil and other fuel," and embodied in the United States Code, title 34, section 524, be amended so as to read as follows:

"The Secretary of the Navy is directed to take possession of all properties within the naval-petroleum reserves, naval oil-shale reserves, and other naval fuel reserves as are or may become subject to the control and use by the United States for naval purposes; to conserve, develop, use, and operate the same in his discretion directly or by contract, lease, or otherwise, such use and operation to be for the protection of the aforesaid reserves or for carrying out the provisions of this act; and to use, store, exchange, or sell the oil and gas products thereof, and those from all royalty oil and gas from lands in the naval reserves, for the benefit of the United States, subject to the applicable limitations and restrictions of this act; and to exercise exclusive jurisdiction and control over those lands within the borders of naval petroleum reserves Nos. 1 and 2 which are embraced by leases granted pursuant to the provisions of the act of Congress approved February 25, 1920, entitled 'An act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain' (41 Stat. 437).

"In order to consolidate and protect the oil lands owned by the Government the Secretary of the Navy is authorized to contract with owners and lessees of land within or adjoining such reserves for conservation in the ground of oil and gas and for compensation for estimated drainage in lieu of drilling or operating offset wells, and to exchange Government land in naval-petroleum reserve No. 1, the right to royalty production from any of the naval-petroleum reserves, and the right to any moneys due to the Government as a result of the wrongful extraction of petroleum products from lands within naval-petroleum reserve No. 1, for privately owned land or leases within naval-petroleum reserve No. 1: *Provided*, That no lease of any portion of the naval-petroleum reserves, no contract to alienate the use, control, or possession thereof from the United States, no contract to sell the oil and gas products thereof, other than royalty oil and gas products, no contract for conservation or for compensation for estimated drainage, and no exchange of any land, any right to royalty production or any right to any moneys as hereinabove authorized shall become effective until approved by the President: *Provided further*, That the Secretary of the Navy shall report annually to the Congress all agreements entered into under the authority herein granted.

"In the event of the inability of the Secretary of the Navy to make satisfactory exchanges of land or agreements for the conservation of naval petroleum with the private owners of lands or leases within or adjoining naval-petroleum reserve No. 1, as provided for in this act, he is hereby authorized, with the approval of the President, to acquire such privately owned lands or leases in naval-petroleum reserve No. 1 by purchase or condemnation. There is hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this act. Such sums shall be expended under the direction of the President, who shall submit to the Congress estimates therefor in the manner prescribed by law: *Provided*, That the Secretary of the Navy shall report annually to the Congress all purchase and condemnation proceedings entered into under the authority herein granted.

"Leases of lands of the United States within the naval-petroleum reserves, in existence prior to July 1, 1936, excepting those leases which have become a part of an approved unit or cooperative plan and agreement, shall terminate at the expiration of their initial 20-year periods, and the lands covered by such terminated leases may be re-leased upon such reasonable terms and conditions as the Secretary of the Navy may prescribe, with the preferential right in the former lessees to leases of the same if and when the lands are re-leased: *Provided*, That every unit or cooperative plan of development and operation entered into after July 1, 1937, and every lease entered into subsequently to July 1, 1937, with respect to lands owned by the United States within the naval-petroleum reserves, shall contain a provision whereby authority, limited as provided in such plan or lease, is vested in the Secretary of the Navy, to alter or modify from time to time in his discretion the rate of prospecting and development on, and the quantity and rate of production from, such lands of the United States under said plan or lease, any law to the contrary notwithstanding.

"Citizens of another country, or corporations controlled by citizens of another country, the laws, customs, or regulations of which deny the privilege of leasing their public lands to citizens or corporations of this country shall not by contract made subsequently to July 1, 1937, or by stock ownership, holding, or control, acquire or own any interest in or right to any benefit from any lease of land in the naval petroleum, naval oil shale, or other naval fuel reserves at any time made under the provisions of the Mineral Leasing Act of February 25, 1920, or of this act, and in the event of any violation of any of these provisions, the Secretary of the Navy shall have the right to cancel such lease forthwith.

"The Secretary of the Navy is hereby authorized to prescribe necessary rules and regulations and to do any and all things necessary or proper to accomplish the purposes of this act. All statements, reports, and representations required thereby shall be under oath, unless otherwise specified, and in such form as the Secretary of the Navy may require.

"Except as otherwise provided in this act, all moneys which may accrue to the United States under the provisions of this act, or of the said act of February 25, 1920 (41 Stat. 437), from lands within the naval petroleum reserves, naval oil-shale reserves, or other naval fuel reserves on account of the petroleum products extracted therefrom shall be deposited in the Treasury of the United States as miscellaneous receipts; and any or all oil, gas, gasoline, or other hydrocarbon substances accruing to the United States as royalties from leases of lands within the naval petroleum reserves, the naval oil-shale reserves, or other naval fuel reserves under authority of this act shall be paid for in money or be paid in kind as the Secretary of the Navy may elect.

"Any lease issued under the provisions of this act may be forfeited and canceled by an appropriate proceeding in the United States district court for the district in which the property, or some part thereof, is located, whenever the lessee fails to comply with any of the provisions of this act, of the lease, or of the regulations promulgated under this act and in force at the date of the lease; and the lease may provide for resort to appropriate methods for the settlement of disputes and for remedies for breach of specified conditions thereof.

Sec. 2. All acts or parts thereof in conflict with the provisions of this act are hereby repealed.

With the following committee amendments:

Page 2, change lines 4 and 5, to read as follows: "of all properties within the naval petroleum reserves and other naval fuel reserves as are or."

Page 2, line 8, after the comma after the word "discretion", insert "subject to approval by the President."

Page 5, line 1, insert a comma after the word "authority" and a comma after the word "lease."

Page 5, line 2, after the word "Navy", insert a comma and add "subject to approval by the President."

Page 5, line 14, strike out "naval oil-shale."

Page 5, line 20, after the word "Navy", insert a comma and "subject to approval by the President."

Page 6, line 5, strike out "naval oil-shale reserves."

Page 6, line 11, strike out "the naval oil-shale reserves."

Page 6, line 24, change the period to a colon and add before the quotation marks the following proviso: "Provided, That nothing herein contained shall be construed to permit the development or operation of the naval oil-shale reserves."

Page 6, after line 24, add the following section:

"Sec. 2. Nothing herein contained shall be construed as validating, acquiescing in, or giving color to any claim of any person—natural, governmental, or corporate—other than the United States, to any right, title, or interest in any lands or interests therein claimed, or which may be claimed, by the United States, or as preventing or interfering with the accrual of any right to damages or cause of action in favor of the United States against any person whomsoever."

Page 7, line 1, strike out "Sec. 2" and insert in lieu thereof "Sec. 3."

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NEBRASKA INDIAN TRIBES

Mrs. HONEYMAN. Mr. Speaker, I ask unanimous consent to return to the consideration of S. 3283, to authorize the Secretary of the Interior to place certain records of Indian tribes of Nebraska with the Nebraska State Historical Society, at Lincoln, Nebr., under rules and regulations to be prescribed by him.

The SPEAKER. Is there objection to the request of the gentlewoman from Oregon?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is authorized, in his discretion and under such rules and regulations as he may prescribe, to place any records of Indian tribes which are within the confines of the State of Nebraska and which are not desired for tribal or official use with the Nebraska State Historical Society, at Lincoln, Nebr. The historical society shall receive the custody of such records and matters of historical interest as custodian for the United States of America and the Secretary of the Interior, and upon the request of said Secretary any of such records so placed with the said Nebraska State Historical Society shall be immediately returned to the Government official designated by him to receive the same.

Copies of any such records or papers in the possession and custody of the said Nebraska State Historical Society, when certified to by the secretary or chief clerk thereof (or in case of a vacancy in such office or position, then by the person acting in such capacity), under its seal, shall be evidence equally with the original, and in making such certified copies such secretary or chief clerk or such person acting in such capacity shall be acting as a Federal agent, and such certified copies shall have the same force and effect as those made by the Secretary of the Interior under seal

of his office to records in his immediate custody. Whenever certified copies of such Indian records are desired by the Government for use by it, they shall be furnished without cost.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COLONIAL NATIONAL HISTORICAL PARK, VA.

Mr. BLAND. Mr. Speaker, I ask unanimous consent that the proceedings by which the bill (H. R. 9875) to revise the boundaries of the Colonial National Historical Park in the State of Virginia, and for other purposes, was passed be vacated, and that a similar Senate bill, S. 3560, be passed.

The SPEAKER. Is there objection to the consideration of the Senate bill?

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That subject to all the laws and regulations applicable to the Colonial National Historical Park, the boundaries of said historical park as established by the act of June 5, 1936 (49 Stat. 1483), and as defined by Presidential Proclamation No. 2055, dated August 22, 1933 (48 Stat. 1706), are hereby revised by the elimination of the parkway area described in said proclamation as running north and west of the city of Williamsburg to Jamestown Island, and the substitution thereof of a parkway area running southerly through the city of Williamsburg, thence continuing south of said city to the James River and thence along said river and connecting waters to Jamestown Island, the exact location of which shall be determined by the Secretary of the Interior: *Provided*, That said parkway area shall not exceed an average of 500 feet in width outside the city of Williamsburg: *And provided further*, That condemnation proceedings shall not be had, exercised, or resorted to as to any lands in the city of Williamsburg except such lands as may be required for a right-of-way not exceeding 200 feet in width through said city to connect with highways or parkways leading from Williamsburg to Jamestown and Yorktown.

Sec. 2. The Secretary of the Interior is hereby authorized, in his discretion, to acquire by purchase, donation, or otherwise, in behalf of the United States, such lands or interests in lands, easements, and buildings comprising the following: Glass House Point, in James City County; the area known as the Hook, including the site of the action of October 3, 1781, in Gloucester County; and such additional lands as are desirable for the proper rounding out of the boundaries and for the administrative control of the Colonial National Historical Park: *Provided*, That the total acreage of lands to be added to the park, with the exception of parkways under the terms hereof shall not exceed 750 acres: *Provided further*, That the said acquisition of lands or improvements shall be made from such funds as may be appropriated pursuant to the authorization of the act of March 3, 1931 (46 Stat. 1490).

Mr. BLAND. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BLAND: On page 2, line 1, after the word "through", insert the words "or around."

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider and a similar House bill (H. R. 9875) were laid on the table.

By unanimous consent, the proceedings by which the bill (H. R. 9875) was passed were vacated.

PICKWICK LANDING DAM

Mr. PIERCE. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 10787) to change the name of "Pickwick Landing Dam" to "Rankin Dam."

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request?

Mr. SNELL. Mr. Speaker, reserving the right to object, if the name of this dam is going to be changed, and I do not know that I have any objection, it should be changed by Executive order, the same way they changed the name of the Hoover Dam. I think that was one of the most outrageous acts of the present administration. Mr. Speaker, for the present, I object.

PYRAMID LAKE INDIAN RESERVATION, NEV.

Mr. O'MALLEY. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 840) to authorize the Secretary of the Interior to issue patents for certain lands to certain settlers in the Pyramid Lake Indian Reservation, Nev.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

Mr. CASE of South Dakota. Mr. Speaker, reserving the right to object, as the gentleman knows, I feel if this consideration is given to the farmers to issue these patents they should pay interest to the Indians. Does the gentleman intend to offer an amendment which I proposed when this bill was before our committee?

Mr. O'MALLEY. Mr. Speaker, I have the amendment on the Clerk's desk and I will offer it. The amendment provides that these farmers shall pay interest on the unpaid balances on their land.

Mr. HANCOCK of New York. Mr. Speaker, reserving the right to object, is this bill on the Private Calendar?

Mr. O'MALLEY. This bill was reported by our committee.

Mr. HANCOCK of New York. Mr. Speaker, this is an item in an omnibus bill. If we are going to take various items out of these omnibus bills, or consider them one by one, I am going to object.

Mr. O'MALLEY. This is a Senate bill.

Mr. HANCOCK of New York. But it is in an omnibus bill now pending before the House and I object.

UNITED STATES EMPLOYMENT SERVICE

Mrs. NORTON. Mr. Speaker, I ask unanimous consent for the immediate consideration of S. 3516. This bill was brought up before and objected to, but I understand the gentleman from Illinois [Mr. Lucas] has withdrawn his objection.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 5 (a) of the so-called Wagner-Peyser Act, act of June 6, 1933 (ch. 49; 48 Stat. 113, 114), as amended by the act of May 10, 1935 (49 Stat. 216), be amended by striking out the words "Seventy-five percent of the amounts appropriated under this act shall" at the beginning of the second sentence thereof and inserting the following: "The annual appropriation under this act shall designate the amount to"; and by striking out from the proviso at the end of such sentence the words "said 75 percent of amounts appropriated after January 1, 1935, under this act" and inserting the following: "the said amount among the several States", so that as amended section 5 (a) shall read as follows:

"Sec. 5. (a) For the purpose of carrying out the provisions of this act there is hereby authorized to be appropriated (1) the sum of \$1,500,000 for the fiscal year ending June 30, 1934, (2) \$4,000,000 for each fiscal year thereafter up to and including the fiscal year ending June 30, 1938, (3) and thereafter such sums annually as the Congress may deem necessary. The annual appropriation under this act shall designate the amount to be apportioned by the Director among the several States in the proportion which their population bears to the total population of the States of the United States according to the next preceding United States census, to be available for the purpose of establishing and maintaining systems of public employment offices in the several States and the political subdivisions thereof in accordance with the provisions of this act: *Provided, however,* That in apportioning the said amount among the several States, the Director shall apportion not less than \$10,000 to each State. No payment shall be made in any year out of the amount of such appropriations apportioned to any State until an equal sum has been appropriated or otherwise made available for that year by the State, or by any agency thereof, including appropriations made by local subdivisions, for the purpose of maintaining public employment offices as a part of a State-controlled system of public employment offices; except that the amounts so appropriated by the State shall not be less than 25 percent of the appointment according to population made by the Director for such State in the current year, and in no event less than \$5,000. The balance of the amounts appropriated under this act shall be available for all the purposes of this act other than for apportionment among the several States as herein provided."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PAYMENT TO VETERANS OF FOREIGN WARS AND DISABLED AMERICAN VETERANS OF THE WORLD WAR

Mr. THOMASON of Texas. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 3319) to authorize certain payments to the Veterans of Foreign Wars of the United States, Inc., and to the Disabled American Veterans of the World War, Inc.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. SNELL. Mr. Speaker, reserving the right to object, will the gentleman tell us what this bill is about?

Mr. THOMASON of Texas. Mr. Speaker, this is a bill for the distribution of the so-called Stars and Stripes or recreation fund. The last Congress authorized the payment of about \$400,000 of this money that is now impounded in the Treasury to the American Legion. This money belongs to the World War veterans, and the Treasury has been holding it as trustee. This involves some \$400,000, as I recall the amount, of the fund which came about by donations, subscriptions, and collections during the war from mess funds, company funds, and sale of the A. E. F. newspaper, the Stars and Stripes. It was built up as a sort of recreation fund for the veterans and was and is their money. There is still in that fund two or three hundred thousand dollars.

By agreement and consent of practically all veteran organizations—and I have copy of the agreement here—two-thirds of that sum which remains impounded in the Treasury is to be divided equally between the Disabled American Veterans and the Veterans of Foreign Wars for the purpose of relief not only to veterans but to their dependents.

Mr. SNELL. This is to be used for relief?

Mr. THOMASON of Texas. Yes. This bill has passed the Senate.

Mr. DIRKSEN. The gentleman says it has the support of the veterans' organizations. How about the American Legion?

Mr. THOMASON of Texas. I am advised it is agreeable to the American Legion. In fact, by a previous act of Congress half of the fund, or at least a large sum, has already been released to them and went into Pershing Hall in Paris. This will give two-thirds of the balance to the Disabled American Veterans and the Veterans of Foreign Wars. The bill has passed the Senate, and I have an agreement here from practically all the other veterans' organizations approving this bill. I believe, too, there is another bill here that disposes of the balance of the fund to certain other World War organizations.

This is a meritorious bill. These are two great humane and patriotic organizations that can be depended upon to use this money in a way to bring about the greatest possible good.

This agreement is as follows:

JUNE 3, 1938.

Re: S. 3319.

HON. ANDREW J. MAY,

Chairman, Committee on Military Affairs,

House of Representatives, Washington, D. C.

MY DEAR MR. CHAIRMAN: We, the undersigned, officially representing the organizations indicated, hereby earnestly urge the Military Committee immediately favorably to report S. 3319, already passed by the Senate, to give the Veterans of Foreign Wars, and the Disabled American Veterans each one-third of the remaining balance in the so-called Recreation fund, Army.

Respectfully yours,

Jewish War Veterans, Geo. G. Cohen, Washington representative; Military Order of the Purple Heart, Herbert A. Church, national legislative chairman; Disabled American Veterans of the World War, Thomas Kirby, national legislative chairman; Veterans of Foreign Wars, Millard W. Rice, national legislative representative; American War Mothers, Inc., Mrs. William H. Marshall, national chairman, legislation; Service Star Legion, Inc., National, Mrs. J. C. Mellichamp, national president; American Gold Star Mothers of the World War, Inc., Mathilda Burling, national president.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to set aside as a special fund in the Treasury the sum of \$196,568.64, representing nearly two-thirds of \$294,852.97, the unexpended balance of the sum transferred from the funds "Stars and Stripes" and "Other funds," by the act of March 4, 1933 (47 Stat. 1573), to the fund entitled "Recreation fund, Army," which latter fund was covered into the surplus fund of the Treasury by the Permanent Appropriation Repeal Act, 1934 (48 Stat. 1229).

Sec. 2. The special fund created pursuant to this act is hereby appropriated, and the Secretary of the Treasury is hereby authorized and directed to divide said special fund into two equal parts and to pay one such part to the Veterans of Foreign Wars of the United States, Inc., and to the Disabled American Veterans of the World War, Inc.

Sec. 3. Each such corporation shall use the funds so received to aid and assist disabled, destitute, or unemployed veterans, and/or their dependents; and shall make a full and complete report to the Congress not later than the 1st day of January of each year of the amount so expended during the preceding fiscal year.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ADJUSTMENT OF LINEAL POSITIONS ON THE NAVY LIST

Mr. COLMER. Mr. Speaker, I ask unanimous consent that the proceedings whereby the bill H. R. 10659 was read a third time and passed, and a motion to reconsider laid on the table, be vacated, and that the bill S. 3805 may be substituted therefor.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

Mr. SNELL. Mr. Speaker, let us find out what this is.

Mr. COLMER. Mr. Speaker, I may say there were two companion bills introduced, one by the gentleman from Minnesota [Mr. MAAS] and one by myself. The Senate bill was passed by the House, and this morning the bill to which I am now referring was on the Private Calendar and was passed by the House. We are merely trying to substitute the Senate bill.

The SPEAKER. The Chair would suggest that the gentleman ask unanimous consent for the immediate consideration of the bill S. 3805.

Mr. COLMER. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 3805) to adjust the lineal positions on the Navy list of certain officers of the Supply Corps of the United States Navy.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the President is hereby authorized to assign to Lt. (Jr. Gr.) Hugle Lee Foote, Jr., Supply Corps, United States Navy; Lt. (Jr. Gr.) Alfred Thomas Magnell, Supply Corps, United States Navy; Lt. (Jr. Gr.) Donald Orr Lacey, Supply Corps, United States Navy; Lt. (Jr. Gr.) Howard Troutman Bierer, Supply Corps, United States Navy; and Lt. (Jr. Gr.) Francis L. Blakelock, Supply Corps, United States Navy, such running mates in the line of the Navy as the said officers would have on the date of approval of this act had they been originally commissioned in the Supply Corps of the United States Navy upon their graduation from the United States Naval Academy: *Provided,* That no back pay or allowances shall be held to have accrued prior to the date of approval of this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

By unanimous consent, the proceedings by which the bill H. R. 10659 was passed were vacated and the bill laid on the table.

CORN CONTROL ACT

Mr. MICHENER. Mr. Speaker, I ask unanimous consent to extend these remarks at this point in the RECORD and include therein statements by and concerning farmers in Michigan.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MICHENER. Mr. Speaker, the farmers of Michigan are much concerned over the Corn Control Act. Yes; they are more than concerned, they are alarmed.

When this control bill was before the House on December 9, 1937, in debate in opposition to the bill, I said in part as follows:

Compulsory control has been tried on cotton under the Bankhead Cotton Act. It did not work successfully.

Compulsory control was attempted under the Potato Act, about which I addressed the Congress at the time of its consideration. Because of the demand of the family-size farmers of the country, that act was voluntarily repealed by Congress before the farmer

and his wife, who grew a few potatoes in the back yard, were sent to jail. The control in this bill will be just as unpopular with the small producer of corn as was the potato law with the average small farmer. Who is for this legislation?

The farmers themselves are not demanding it. The National Grange, with its 800,000 paid members, is almost unanimously opposed. The National Farmers' Union is unalterably opposed. All national dairy organizations and all local organizations that have been heard from are opposed.

The Secretary of Agriculture and the administration alone seem to be for the entire bill.

I am opposed to this bill because—

First. It will not and cannot accomplish that which the farmers are promised it will accomplish.

Second. It regimented and controls the farmers in the operation of their farms. For noncompliance with compulsory quotas they may be fined, prosecuted, and deprived of benefits.

Third. It is unfair and unjust and discriminates against farmers within the quota area as against farmers outside the quota area.

Fourth. It will cause more dissatisfaction, more jealousy, envy, and hatred among farmers themselves than any legislation yet enacted concerning agriculture.

Fifth. It gives more power to a bureau in Washington to control the destinies of the farmer.

Sixth. It has possibilities of ruining the dairy industry of the North, if the South is permitted to rent its cotton land to the Government in order to conserve the soil and then operate dairies on the same land, utilizing alfalfa and other soil-conserving crops to produce dairy products to compete with northern dairies not subsidized by the Government.

All the apprehension I expressed at that time has since been shown to have been well founded. There are 83 counties in Michigan. At the time the bill was before the Congress I was advised by the Department of Agriculture that but three counties in Michigan would be included in the commercial corn-producing area. Since the bill was enacted into law, two additional counties have been added, so that 5 of the 83 counties in the State must now come under corn marketing control regulations.

The general feeling of the farmers in Michigan with reference to this act perhaps finds best expression in Lenawee County. This is one of the finest agricultural counties in the Union, made up of family-sized farms, with diversified crops, where soil conservation in crop rotation has been practiced long before soil conservation in Washington was ever dreamed of. These farmers are not radicals and, generally speaking, there is little distinction between farm tenants and farm owners. All of these farmers represent our highest type of citizen. I make this observation to show the background of the people of this particular county.

So incensed are these Lenawee County farmers over the operation of this new corn-control venture on the part of the Federal Government that a mammoth mass meeting was recently held at the county seat of Adrian. More than 600 farmers filled the courthouse to overflowing, and loud-speakers were installed so that those not able to gain admission could hear the proceedings. Resolutions were unanimously adopted by the meeting as follows:

Resolutions

Whereas crop control is being gradually thrust upon the American farmers and we will soon be told just what crops we can raise and how much of such crops we can sell; and

Whereas the corn-allotment law is especially obnoxious to Lenawee County farmers because we never raise as much corn as we consume; and

Whereas we, the farmers of Lenawee County, cannot comply with this type of regimentation and bitterly denounce any law that interferes with or takes from us the management of our farms: Now, therefore, be it

Resolved, That the farmers of Lenawee County form a protective league to guard our rights as American citizens and to instruct our servants in the Federal employ that the farmers of this county know better what crops their farms should produce than any Government agent committee or other civil employee; and be it further

Resolved, That a copy of this resolution and the sentiment of this meeting be presented to our two Senators, Arthur H. Vandenberg and Prentice M. Brown; to our Congressman, Earl C. Michener; our Governor, Frank Murphy; and our Michigan State commissioner of agriculture, John B. Strange.

These resolutions headed petitions later circulated among the actual farmers of the county, and more than 2,700 farmers have signed such petitions and forwarded them to Washington.

Mr. E. R. Illenden, a typical farmer, with a typical Michigan farm set-up, addressed a letter to the Secretary of Agriculture, in which he said:

Of all the fool things that the Government has ever done, putting Lenawee County, Mich., in the corn-allotment area is the worst. Lenawee County has 37,000 milk cows and annually feeds about 80,000 lambs and many cattle.

No corn is sold out of the county, but annually several thousand bushels are shipped in from Ohio and Indiana.

I have a farm of 200 acres near Adrian which is the county seat. I always raise from 40 to 45 acres of corn, and the other day I received my corn allotment which was 24.9 acres, and the conservation committee told me if I followed Government orders I would receive \$175. In my regular rotation of crops I expected to plant 40 acres of corn and I shall disregard Government orders and plant 40 acres, because 15 acres of corn is worth more to me than \$175.

I have lived on this farm I now own for 64 years, and in that time there was never any corn sold off the place. I have 10 cows, raise and fatten 100 hogs a year, and feed 600 to 800 lambs annually.

I never raise enough corn for my own use. I buy every year from 500 to 1,000 bushels of corn.

There are hundreds of farmers in the county in the same fix that I am.

We are going to disregard the law and feed our corn.

I am personally acquainted with Mr. Illenden. He is one of the outstanding, progressive, law-abiding citizens of the congressional district which I have the honor to represent in the Congress. I am sure Mr. Illenden did not arrive at a hasty decision in this matter. I am just as sure that he believes in law and order and law enforcement, and that this corn problem, which confronts the farmers of Lenawee County, is most distressing and impossible, or Mr. Illenden would not have addressed this letter to the Secretary of Agriculture.

Upon receipt of these resolutions and petitions, I immediately contacted Mr. Claude R. Wickard, Secretary Wallace's administrator, in an effort to have these Michigan counties excluded from the operation of this law, because they do not produce corn to sell in commerce, as suggested in the above letter to the Secretary of Agriculture. I have been unable to get assurance of any relief from this act so far as Lenawee County is concerned. The Department of Agriculture advises me as follows:

Under the Agricultural Adjustment Act of 1938, a county is considered a commercial corn-producing county if the production of corn is 450 bushels or more per farm, and the yield of corn is 4 bushels or more per acre of farm land. It is to be noted that Lenawee County, Mich., is considerably above each of such requirements. In fact, Lenawee County is one of the good corn-producing counties in the commercial-corn area.

In these circumstances, I know of nothing that can be done for the relief of these Michigan counties until the Congress repeals or amends the law passed in December 1937.

What has transpired in Lenawee County is transpiring in different degrees in every part of agricultural United States. Farmers resent this New Deal regimentation. We should all be greatly disturbed when our farmers feel that it is necessary to form protective leagues to protect themselves against bureaucrats coming out from Washington and telling them whether or not they may feed to their own stock the grain and produce they have produced by their own toil on the land which they bought and paid for and own.

Such philosophy of regulation and scarcity does not find its origin in constitutional American democracy. Such philosophy, put into practice, will not succeed among free people. The whole theory back of this doctrine of producing less and having more is doomed to failure. These punitive, unreasonable, regulatory laws and regulations, taking away from the farmers the right to work, produce, and enjoy the profits of their own labor will not, and should not, succeed. The petitions referred to above have been referred to the Committee on Agriculture in the Senate, and will be referred to the Committee on Agriculture in the House. However, the Congress expects to adjourn sine die sometime tonight. I, therefore, know that there is nothing that can be done in this matter at this time; but in view

of the seriousness of the situation, I feel constrained to call this matter to the attention not only of the Congress but of the country, and to express the hope that no effort will be made by the Department of Agriculture to put into effect the compulsory quota provisions of this corn-control law, insofar as counties like Lenawee, which are not one-crop producing counties, are concerned. The farmers in my district make their farms better. They do not attempt to take out all of the fertility of the soil even though immediate profits might suggest such a course. It is all wrong to place a penalty on soil-conserving farmers for the purpose of benefiting soil-depleting farmers in wheat, corn, or cotton one-crop areas. Our farmers milk cows the year around. They work the year around. They are thinking of tomorrow and the generations yet to come, and plant crops accordingly. I know that few Members of Congress pay any attention to remarks of this kind during the closing days of the session, but I express the fervent hope, Mr. Speaker, that every one of you will take the time to read the resolutions which I have inserted in the RECORD, and give pause to the effect that this regimentation and regulation from Washington is having upon the sane, sensible, liberty-loving law-abiding citizens of our great country.

TERM OF COURT AT KALISPELL, MONT.

Mr. O'CONNELL of Montana. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 3204) to amend section 92 of the Judicial Code to provide for a term of court at Kalispell, Mont.

Mr. MICHENER. Reserving the right to object, Mr. Speaker, when was this bill reported out?

Mr. CELLER. If the gentleman will yield, I may say that the Committee on the Judiciary met specially yesterday morning and reported out the bill.

Mr. MICHENER. I had no notice of any such meeting. Was a quorum present?

Mr. CELLER. About 14 members were present, which was a quorum.

Mr. MICHENER. What I am objecting to is that after the committee has ceased holding meetings for the session, a few men get together and hold a meeting and report out legislation without the knowledge of the other Members. I have been here on the floor all the time. If the gentleman can show I had notice of any such meeting I will not object, but if meetings are held like this, I believe it is a wrong custom and there should be objection.

Mr. SNELL. I object, Mr. Speaker.

Mr. CELLER. Will the gentleman withhold his objection?

Mr. SNELL. I will withhold the objection, Mr. Speaker.

Mr. CELLER. I may say to the gentleman from Michigan in explanation of the holding of the meeting of the committee that the chairman, as I understand, notified all members of the committee by telephone that they would meet at a special meeting held in the Speaker's office, and 14 members responded.

Mr. MICHENER. John L. Lewis may meet in the Speaker's office on short notice, but I object to the Judiciary Committee meeting on such notice, especially when all of the members of the committee have not had notice.

Mr. SCHULTE. Regular order, Mr. Speaker.

Mr. SNELL. I object.

EXTENSION OF REMARKS

Mr. LUCKEY of Nebraska. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein certain tables dealing with production, price, and sale of wheat and corn.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

SETTLERS IN THE PYRAMID LAKE INDIAN RESERVATION, NEV.

Mr. O'MALLEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk for immediate considera-

tion the bill (S. 840) to authorize the Secretary of the Interior to issue patents for certain lands to certain settlers in the Pyramid Lake Indian Reservation, Nev.

I may say I have an amendment on the Clerk's desk.

The Clerk read the title of the bill.

Mr. SNELL. Reserving the right to object, Mr. Speaker, let us have an explanation, so we may find out what this bill is.

Mr. O'MALLEY. This bill provides for five farmers out of a hundred who, because of the depression, were unable to complete their payments on certain lands, and allows them 1 year in which to pay up certain amounts. The gentleman from South Dakota [Mr. CASE] offered an amendment requiring them to pay interest on the unpaid amounts, to which the committee agreed. This land is at the south end of the Pyramid Lake Indian Reservation. These people have been on that land for 40 years. Because they lapsed in one payment, unless this bill is passed, they will lose the land and all the money they have paid in. It is a very pathetic case. One man has his home on unpaid-for land and his corrals on other land. The court has been giving these people extensions of 30 days at a time in the hope we can pass this bill.

Mr. SNELL. If you are going to start that practice why should you not take care of home owners' loans in the same way? There are a lot of people who are losing their homes.

Mr. O'MALLEY. I would say to the gentleman if I could I would take care of the home owners in my town, but I have no control over that. This is a just and fair matter.

Mr. COSTELLO. Reserving the right to object, Mr. Speaker, do I understand this bill is one contained in an omnibus bill?

Mr. O'MALLEY. This bill is on the Speaker's table, coming from the Senate. It has passed the Senate. I hope the gentleman will not object.

Mr. COSTELLO. In view of the fact this bill is contained in an omnibus bill, and that there are perhaps 14 or 15 omnibus bills on the calendar also containing Senate bills, it seems to me to be unfair to allow one of the Senate bills to come up if similar consideration is not given to the others. For that reason, I feel constrained to object.

Mr. SNELL. If this bill is in an omnibus bill, I also object, Mr. Speaker.

PRINTING OF ADDITIONAL COPIES OF THE SLIP LAW ON THE BILL (H. R. 8046)

Mr. LAMBETH. Mr. Speaker, I send to the desk a privileged resolution and ask for its immediate consideration. The Clerk read as follows:

House Resolution 537

That there be printed 8,500 additional copies of the slip law on the bill (H. R. 8046) entitled "An act to amend an act entitled 'An act to establish a uniform system of bankruptcy throughout the United States', approved July 1, 1898, and acts amendatory thereof and supplementary thereto; and to repeal section 76 thereof and all acts and parts of acts inconsistent therewith", of which 8,000 copies shall be for the use of the House document room, and 500 copies for the Committee on the Judiciary of the House.

The resolution was agreed to, and a motion to reconsider was laid on the table.

POSTAGE ON ENVELOPES SENT OTHERWISE THAN BY MAIL

Mr. MEAD. Mr. Speaker, I present a unanimous report of the Committee on the Post Office and Post Roads on the bill (H. R. 6168) to amend section 239 of the act of June 3, 1872 (17 Stat. 312; U. S. C., title 39, sec. 500), and ask unanimous consent for the present consideration of the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 239 of the act of June 3, 1872 (17 Stat. 312; U. S. C., title 39, sec. 500), be, and the same is hereby, amended to read as follows:

"All letters enclosed in envelopes with embossed postage thereon, or with postage stamp or stamps affixed thereto, by the sender, or with the metered indicia showing that the postage has been prepaid, if the postage thereon is of an amount sufficient to cover the postage that would be chargeable thereon if the same were sent by mail, may be sent, conveyed, and delivered otherwise than by mail, provided such envelope shall be duly directed and properly sealed, so that the letter cannot be taken therefrom without defac-

ing the envelope, and the date of the letter or of the transmission or receipt thereof shall be written or stamped upon the envelope, and that where stamps are affixed they be canceled with ink by the sender. But the Postmaster General may suspend the operation of this section or any part thereof upon any mail route where the public interest may require such suspension."

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. SNELL. Reserving the right to object, Mr. Speaker, I believe the gentleman from New York should explain this bill.

Mr. MEAD. Under existing law the Post Office Department allows certain merchants, banks, and other companies, as well as individuals, to deliver mail provided they send their letters in Government stamped envelopes, and such mail never enters the Postal Service. By this bill we allow them to meter the mail or to stamp it; in other words, we just add another privilege.

Mr. SNELL. It does not in anywise change the amount that is paid into the Post Office Department?

Mr. MEAD. No; it does not change the amount at all or affect any mail that enters the Postal Service.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. HART. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and include a short editorial from the Jersey Journal.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. FISH. Mr. Speaker, I ask unanimous consent to proceed for 3 minutes.

Mr. RAYBURN. Mr. Speaker, reserving the right to object, I hope the gentleman will let that go over. Everybody wants the House to stand in recess subject to the call of the Chair.

Mr. FISH. We have been very patient and very courteous in permitting unanimous-consent requests of the entire Democratic side to go through—

Mr. RAYBURN. I think there have been just as many requests, in proportion to numbers, from the gentleman's side.

Mr. FISH. Mr. Speaker, I modify my request and ask unanimous consent to proceed for 2 minutes.

Mr. SCHULTE. I object, Mr. Speaker.

Mr. FISH. Mr. Speaker, I make the point of no quorum.

Mr. SCHULTE. So the gentleman from New York may not become angry, I withdraw my objection, Mr. Speaker.

Mr. FISH. I withdraw the point of no quorum, Mr. Speaker.

The SPEAKER. "Behold how good and how pleasant it is for brethren to dwell together in unity." [Laughter.]

Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FISH. Mr. Speaker, the Congress will probably adjourn today, ending a session remarkable for its irresponsibility and its squandering of the people's money, which has never been approached by any other Congress.

It is the habit, when Congress adjourns, for the leaders to proclaim its triumphs and glorious achievements, but it will take a great deal of imagination to depict the virtues of the present Congress with its deplorable record of doing nothing to help restore confidence, stimulate business activities, or to end the Roosevelt depression.

The Congress should not adjourn without adopting legislation to help the railroads in their present critical condition, brought about by the failure of the New Deal economic policies. The Democratic Congress has a direct obligation to

extend a helping hand to the railroads in this crisis, so that they can continue to operate and employ labor, at least until Congress reconvenes in January.

Some 20 railroads are in a virtual state of bankruptcy and are not making their operating expenses under present conditions, and have nowhere to turn in this emergency for further loans. It is essential that the railroads be permitted to continue their services on an efficient basis and that their employees be paid. I am not often in agreement with the President, but on this vital issue I believe it would be the height of folly for this irresponsible Congress to adjourn without extending temporary relief by way of loans to the railroads to keep them going for the next 6 months. If the railroads stop operating because of their inability to pay their employees, it would be the duty of the President to call an extra session of Congress, should the present Congress refuse to enact a rail bill before adjournment.

I also hold the leadership of this Congress responsible for failure to permit the enactment of legislation reducing the rate of interest on Home Owners' Loan Corporation loans from 5 to 3½ percent, and extend the amortization time from 15 to 25 years. We are in the midst of a Government-made Roosevelt depression, and Congress has a duty to reduce the interest in order to stop the wholesale eviction of American home owners.

If this condition continues, the Government will become the largest and greatest real-estate landlord, to the detriment of the real-estate market throughout the Nation. I see no reason why, when the Government obtains money under 3 percent it should charge more than 3½ percent to home owners and to the farmers for loans.

I believe the best way to combat the spread of communism in America is to promote and maintain ownership of private property, particularly the ownership of homes.

When the Congress adjourns it will have appropriated approximately \$12,000,000,000, which will be the all-time high in times of peace. These huge appropriations mean that the national debt will be in excess of \$40,000,000,000 before the Congress convenes again in January. For the first time during my 18 years in Congress, I have lost faith in the Congress on financial matters, on account of its complete subservience to the executive branch of the Government, and because of the utter irresponsibility of its leadership. Money is appropriated and turned over to the President, leaving Congress with no more legislative control over these funds than Ghandi has clothing.

Both branches of the Congress refuse even to place any check on the use of relief funds for political purposes. This shocking and disgraceful partisan action practically encourages the use of relief money to prime primary and election pumps and to help elect 100-percent supporters of the New Deal.

I charge that the last year of the New Deal administration has been the most dismal failure in American history, with 13,000,000 unemployed and with no program to either restore confidence or put American wage earners back to work.

The truth is that neither President Roosevelt nor the Congress has any plan to revive industry and employment, and no financial policy except to pile debt upon debt, deficit upon deficit by borrowing more billions of dollars through the issuance of additional tax-exempt securities. [Applause.]

EXTENSION OF REMARKS

Mr. CASE of South Dakota. Mr. Speaker, I ask unanimous consent to extend my remarks at the point where I interrogated the gentleman from Arizona [Mr. MURDOCK], and insert therein a letter from the President to the Committee on Mines and Mining.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. CULKIN. Mr. Speaker, I ask unanimous consent to extend my own remarks and include therein a letter from the attorney general of Wisconsin.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. DOWELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. DOWELL. Mr. Speaker, on the adjournment of this Congress this House will lose one of its most valuable Members in the person of my friend and colleague, Hon. LLOYD THURSTON, of the Fifth Congressional District of Iowa.

Mr. THURSTON came to this House some 14 years ago, and like all new Members, was assigned to a number of minor committees. His work and worth, however, soon became known, and he was advanced to the most important committees of the House—that of Appropriations and later to membership on the great Ways and Means Committee. On all these committees, he served with distinction and honor.

This year he voluntarily determined not to become a candidate to succeed himself in the House, but to become a candidate for the office of United States Senator from Iowa.

For a number of years LLOYD THURSTON has been a prominent figure on this floor. His good judgment and wise counsel have been of inestimable value in shaping legislation, and will be greatly missed.

I know I voice the sentiment of every Member of this House when I express my sincere good wishes to Mr. THURSTON and his good wife, for a bountiful measure of success, good health, and happiness in the years to come. [Applause.]

EXTENSION OF REMARKS

Mr. SCOTT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include a letter I addressed to Mr. Clark Eichelberger, director of the Committee for Concerted Peace Efforts, and his reply to that letter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

RECESS

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that the House stand in recess subject to the call of the Chair.

The SPEAKER. The gentleman from Texas asks unanimous consent that the House stand in recess subject to the call of the Chair. Is there objection?

There was no objection.

Accordingly (at 1 o'clock and 19 minutes p. m.) the House stood in recess subject to the call of the Speaker.

AFTER THE RECESS

The recess having expired, the House was called to order by the Speaker at 5 o'clock and 1 minute p. m.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. St. Claire, one of its clerks, announced that the Senate had passed without amendment bills and joint resolutions of the House of the following titles:

H. R. 2646. An act for the relief of Isabella Hooper Caraway and James Randolph Hooper, a minor;

H. R. 3761. An act for the relief of Dudley E. Essary;

H. R. 4691. An act for the relief of Pompeo Ercolano;

H. R. 4996. An act for the relief of Sue VanRyn; Donald A. VanRyn, a minor; and the estate of Margaret Breseman, deceased.

H. R. 6925. An act to provide for a national cemetery in every State;

H. R. 8047. An act to amend the Meat Inspection Act of March 4, 1907, as amended and extended, with respect to its application to farmers, retail butchers, and retail dealers.

H. R. 9012. An act for the relief of Joseph Webbe;

H. R. 9132. An act for the relief of Celia Koehler;

H. R. 9133. An act for the relief of William Monroe;
 H. R. 9135. An act for the relief of Emons Wolfer;
 H. R. 9516. An act for the relief of J. T. Herren and Billie Herren, a minor;
 H. R. 9731. An act for the relief of James J. Coyne;
 H. R. 9795. An act for the relief of Michael J. Muldowney;
 H. R. 9859. An act for the relief of Victor H. Todaro;
 H. R. 10135. An act for the relief of James Phillip Coyle;
 H. R. 10339. An act for the relief of Isaac Friedlander;
 H. R. 10777. An act authorizing the village of Baudette, State of Minnesota, its successors and assigns, to construct, maintain, and operate, a bridge across the Rainy River at Baudette, Minn.;

H. R. 10835. An act to authorize the county of Kauai to issue bonds of such county in the year 1938 under the authority of Act 186 of the Session Laws of Hawaii, 1937, in excess of 1 percent of the assessed value of the property in said county as shown by the last assessment for taxation;

H. R. 10907. An act to provide for the vesting of title, and the disposition of personal property left or found upon premises used as Veterans' Administration facilities, and for other purposes;

H. J. Res. 281. Joint resolution to authorize sales and exchanges by the State of Wisconsin notwithstanding certain provisions in the act of August 22, 1912 (37 Stat. 324);

H. J. Res. 707. Joint resolution requesting the President of the United States to proclaim the week of May 31, 1939, National Flood Prevention Week; and

H. J. Res. 723. Joint resolution to amend H. R. 10672, Seventy-fifth Congress, third session, entitled "An act to amend section 4197 of the Revised Statutes, as amended (U. S. C., 1934 ed., title 46, sec. 91), and section 4200 of the Revised Statutes (U. S. C., 1934 ed., title 46, sec. 92), and for other purposes," so as to correct a typographical error.

The message also announced that the Senate had passed, with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 9171. An act directing the Court of Claims to reopen certain cases and to correct the errors therein, if any, by additional judgments against the United States.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10024) entitled "An act to establish the Olympic National Park, in the State of Washington, and for other purposes."

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 2822. An act granting an increase of pension to Grizelda Hull Hobson.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 3. An act to regulate commerce in firearms;

S. 2338. An act to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes;

S. 2811. An act to amend the Judicial Code by adding thereto a new section, to be numbered 659 (1), relating to the certification, authentication, and use in evidence of documents of record or on file in public offices in the state of Vatican City;

S. 3255. An act to provide for the establishment of a mechanism of regulation among over-the-counter brokers and dealers operating in interstate and foreign commerce or through the mails, to prevent acts and practices inconsistent with just and equitable principles of trade, and for other purposes;

S. 3346. An act authorizing the Secretary of the Interior to pay salaries and expenses of the chairman, secretary, and interpreter of the Klamath General Council, members of the Klamath Business Committee and other committees ap-

pointed by said Klamath General Council, and official delegates of the Klamath Tribe;

S. 3403. An act for the relief of Leonard Graboski;

S. 3493. An act providing for the suspension of annual assessment work on mining claims held by location in the United States;

S. 3525. An act to amend the act entitled "An act to extend the benefits of the Civil Service Retirement Act of May 29, 1930, as amended, to certain employees in the legislative and judicial branches of the Government," approved July 13, 1937;

S. 3684. An act to provide for the holding of terms of the district courts of the United States for West Virginia at Fairmont and Beckley; and

S. 3921. An act for the relief of Remijio Ortiz.

The message also announced that the Senate had passed the following concurrent resolution, in which the concurrence of the House is requested:

S. Con. Res. 42. Concurrent resolution authorizing the Clerk of the House of Representatives to make certain corrections in the enrollment of the bill (H. R. 10024) to establish the Olympic National Park in the State of Washington, and for other purposes.

PHOSPHATE RESOURCES

The SPEAKER. Pursuant to the provisions of public resolution 112, Seventy-fifth Congress, the Chair appoints as members of the joint committee to investigate the adequacy and use of the phosphate resources of the United States, the following Members of the House:

Mr. PETERSON of Florida, Mr. LEAVY, Mr. CASE of South Dakota.

WORK RELIEF AND PUBLIC BUILDINGS BILL

Mr. WOODRUM. Mr. Speaker, I present a conference report and statement upon House Joint Resolution 679 making appropriations for work relief, relief, and otherwise to increase employment by providing loans and grants for public-works projects for printing under the rule.

SECOND DEFICIENCY APPROPRIATION BILL, FISCAL YEAR 1938

Mr. WOODRUM. Mr. Speaker, I present a conference report and statement upon the bill H. R. 10851, making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1938, and for prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1938, and June 30, 1939, and for other purposes, for printing under the rule.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10851) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1938, and for prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1938, and June 30, 1939, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 42, 85, and 89.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 6, 7, 8, 9, 10, 11, 12, 13, 14, 16, 17, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 45, 48, 49, 53, 54, 57, 60, 62, 63, 64, 65, 66, 68, 69, 70, 71, 72, 73, 76, 77, 78, 80, 82, 83, 88, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, and 104, and agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment, insert the following:

"For attendant authorized by Senate Resolution Numbered 252 adopted May 13, 1938, fiscal year 1939, \$1,500."

And the Senate agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert the following:

"For expenses of inquiries and investigations ordered by the Senate, including compensation to stenographers of committees, at such rate as may be fixed by the Committee to Audit and Control the Contingent Expenses of the Senate, but not exceeding 25 cents per hundred words, fiscal year 1938, \$70,000: *Provided*,

That no part of this appropriation shall be expended for per diem and subsistence expenses except in accordance with the provisions of the Subsistence Expense Act of 1926, approved June 3, 1926, as amended."

And on page 2 of the bill after line 15 insert the following: "Contingent expenses: For an additional amount for expenses of special and select committees authorized by the House, fiscal year 1939, \$70,000."

And the Senate agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert the following:

"For payment to William Madden, Preston L. George, and William S. Houston, messengers on night duty during the third session of the Seventy-fifth Congress, \$900 each; in all \$2,700, to be paid from the appropriation for printing and binding for Congress for the fiscal year 1939."

And the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment, as follows: In line 4 of the matter inserted by said amendment strike out "\$150,000" and insert in lieu thereof "\$125,000"; and the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment, as follows: In line 4 of the matter inserted by said amendment strike out "\$275,000" and insert in lieu thereof "\$250,000"; and the Senate agree to the same.

Amendment numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment, as follows: In line 10 of the matter inserted by said amendment strike out "\$100,000" and insert in lieu thereof "\$75,000"; and the Senate agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert the following:

"NORTHWEST TERRITORY CELEBRATION COMMISSION

"For an additional amount for the expenses of participation of the Government of the United States in the Northwest Territory Celebration Commission, in accordance with Public Resolution Numbered 101, approved May 31, 1938, fiscal year 1939, \$15,000, to be immediately available and to remain available until April 15, 1939."

And the Senate agree to the same.

Amendment numbered 22: That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment, insert "\$15,000"; and the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment, as follows: In line 5 of the matter inserted by said amendment strike out "1938" and insert in lieu thereof "1939"; and the Senate agree to the same.

Amendment numbered 24: That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert "\$500,000"; and the Senate agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment, as follows: In line 8 of the matter inserted by said amendment strike out "Title I of H. J. Res. 679" and insert in lieu thereof the following: "section 1 (1) of the Emergency Relief Appropriation Act of 1938"; and at the end of the matter inserted by said amendment and before the period insert the following: "Provided further, That not to exceed \$50,000 may be expended on any one project"; and the Senate agree to the same.

Amendment numbered 26: That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment, as follows: In the matter inserted by said amendment strike out the sum of "\$14,820" and insert in lieu thereof "\$10,000"; and the Senate agree to the same.

Amendment numbered 46: That the House recede from its disagreement to the amendment of the Senate numbered 46, and agree to the same with an amendment, as follows: In lines 8 and 9 of the matter inserted by said amendment strike out "such sums as he deems necessary" and insert in lieu thereof: "not to exceed \$50,000"; and the Senate agree to the same.

Amendment numbered 47: That the House recede from its disagreement to the amendment of the Senate numbered 47, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert the following:

"Fish cultural station: For the establishment of a fish cultural station, fiscal year 1939, \$6,500."

And the Senate agree to the same.

Amendment numbered 50: That the House recede from its disagreement to the amendment of the Senate numbered 50, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert the following:

"MOUNT RUSHMORE NATIONAL MEMORIAL COMMISSION

"Mount Rushmore National Memorial Commission: For carrying into effect the provisions of the Mount Rushmore Memorial Act of 1938, fiscal year 1939, \$50,000: *Provided*, That no part of this appropriation shall be expended for work on any figure, in addition to the four figures authorized by law, upon which work had not commenced as of June 22, 1936."

And the Senate agree to the same.

Amendment numbered 51: That the House recede from its disagreement to the amendment of the Senate numbered 51, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert the following:

"NATIONAL BITUMINOUS COAL COMMISSION

"Salaries and expenses: For an additional amount for all necessary expenditures of the National Bituminous Coal Commission in performing the duties imposed upon said Commission by the Bituminous Coal Act of 1937, approved April 26, 1937 (50 Stat. 72), including the same objects specified under this head in the Interior Department Appropriation Act for the fiscal year 1939 and including the purchase of a passenger-carrying automobile for use in the District of Columbia, fiscal year 1939, \$250,000: *Provided*, That expenditures during the fiscal year 1939 under this head and under the head 'Salaries and expenses, office of consumers' counsel, National Bituminous Coal Commission,' shall not exceed an amount equal to the aggregate receipts covered into the Treasury under the provisions of section 3 of the Bituminous Coal Act of 1937."

And the Senate agree to the same.

Amendment numbered 52: That the House recede from its disagreement to the amendment of the Senate numbered 52, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$3,500,000"; and the Senate agree to the same.

Amendment numbered 55: That the House recede from its disagreement to the amendment of the Senate numbered 55, and agree to the same with an amendment, as follows: In lieu of sum named in said amendment insert "\$250,000"; and the Senate agree to the same.

Amendment numbered 56: That the House recede from its disagreement to the amendment of the Senate numbered 56, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$975,000"; and the Senate agree to the same.

Amendment numbered 59: That the House recede from its disagreement to the amendment of the Senate numbered 59, and agree to the same with an amendment, as follows: In the last line of the matter inserted by said amendment strike out the sum "\$300,000", and insert in lieu thereof the following: "the sum of \$300,000 is hereby made available from the amount allocable for Federal projects under section 201 of the Public Works Administration Appropriation Act of 1938"; and the Senate agree to the same.

Amendment numbered 61: That the House recede from its disagreement to the amendment of the Senate numbered 61, and agree to the same with an amendment, as follows: In lieu of sum named in said amendment insert "\$400,000"; and the Senate agree to the same.

Amendment numbered 67: That the House recede from its disagreement to the amendment of the Senate numbered 67, and agree to the same with an amendment, as follows: Strike out all of the matter inserted by said amendment after the word "authorized" in line 13, and insert in lieu thereof the following: "to be appropriated by the enactment into law of either or both of the aforesaid acts, fiscal year 1939, \$11,750"; and the Senate agree to the same.

Amendment numbered 74: That the House recede from its disagreement to the amendment of the Senate numbered 74, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert the following:

"Third Pan-American Highway Conference: For the expenses of participation by the United States in the Third Pan-American Highway Conference, to be held in Chile during the fiscal year 1939, as authorized by and in accordance with the Public Resolution of May 20, 1938, fiscal year 1939, \$15,000."

And the Senate agree to the same.

Amendment numbered 75: That the House recede from its disagreement to the amendment of the Senate numbered 75, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert the following:

"SECRETARY OF WAR

"Educational orders: For placing educational orders to familiarize private manufacturing establishments with the production of munitions of war of special or technical design, noncommercial in character, as authorized by law, fiscal year 1939, a sum or sums not exceeding a total of \$2,000,000 may be transferred from appropriations available for other Military Activities for fiscal year 1939 and not required for such activities and may be utilized for the purposes of this paragraph."

And transfer the amended paragraph to page 81 of the bill after line 20; and the Senate agree to the same.

Amendment numbered 79: That the House recede from its disagreement to the amendment of the Senate numbered 79 and agree to the same with an amendment as follows: Omit the mat-

ter inserted and restore the matter stricken out amended to read as follows: "Not to exceed \$4,200,000 of the"; and the Senate agree to the same.

Amendment numbered 81: That the House recede from its disagreement to the amendment of the Senate numbered 81, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert the following:

"For the refunding, which is hereby authorized, in accordance with rules and regulations to be prescribed by the Commissioner of Internal Revenue with the approval of the Secretary of the Treasury, of all amounts collected by any collector of internal revenue as tax (including penalties and interest) under the Bankhead Cotton Act of 1934 (48 Stat. 598), as amended, the Kerr Tobacco Act (48 Stat. 1275), as amended, and the Potato Act of 1935 (49 Stat. 750), fiscal year 1939, so much of the appropriation in the immediately preceding paragraph as may be requisite is hereby made available for the purposes of and in accordance with the provisions of this paragraph: *Provided*, That no refund shall be made or allowed of any amount paid by or collected from any person as tax under such Acts, unless, after the date of the enactment of this Act, and prior to July 1, 1939, a claim for refund has been filed by such person: *Provided further*, That no refund shall be denied upon the ground that a proceeding to recover had become barred by the limitation provisions of such Acts, or by the provisions of section 3226, as amended, of the Revised Statutes, or by the provisions of section 608 of the Revenue Act of 1928: *Provided further*, That in the absence of fraud all findings of fact and conclusions of law of the Commissioner of Internal Revenue upon the merits of any such claim for refund, and the mathematical calculations made in connection therewith, shall not be subject to review by any court or by any other officer, employee, or agent of the United States: *Provided further*, That no refund of any tax shall be made under this paragraph unless liability for the payment of such tax was satisfied by the payment of money: *Provided further*, That no interest shall be allowed in connection with any refund made under the authority of this paragraph: *Provided further*, That in the case of amounts paid as tax under the Bankhead Cotton Act of 1934 with respect to the ginning of cotton (a) refund shall be allowed to the ginners of the cotton only to the extent that the ginners have not shifted the burden of the tax by including it in any charge or fee for ginning, or by collecting it from the owner or owners of the cotton ginned, or in any manner whatsoever, and (b) refund shall be allowed to the owner or owners of the cotton at the time of ginning, to the extent that the amount of tax was shifted to such owner or owners by the cotton ginners and was not shifted by such owner or owners to other persons, and in such cases, but only for the purposes of this paragraph, the tax shall be considered to have been paid by the ginners to the United States for the account of such owner or owners. No part of the amount of any refund made under this paragraph in excess of 10 per centum of the amount of such refund shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with such refund, and the same shall be unlawful, any contract to the contrary notwithstanding; and any person violating the provisions of this sentence shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

And the Senate agree to the same.

Amendment numbered 84: That the House recede from its disagreement to the amendment of the Senate numbered 84, and agree to the same with an amendment, as follows: In line 5 of the matter inserted by said amendment strike out "Title I, Section 1," and insert in lieu thereof "section 1"; and the Senate agree to the same.

Amendment numbered 86: That the House recede from its disagreement to the amendment of the Senate numbered 86, and agree to the same with an amendment, as follows: Restore the matter stricken out by said amendment and after the sum "\$10,815,000" add the following: "; and such sum of \$3,000,000 is hereby made available from the appropriation of \$965,000,000 in section 201 (a) of the Public Works Administration Appropriation Act of 1938 and is hereby transferred to the Procurement Division, Treasury Department, for the purposes of this paragraph: *Provided*, That such sum of \$3,000,000 shall not be subject to any of the other provisions of such Act"; and the Senate agree to the same.

Amendment numbered 87: That the House recede from its disagreement to the amendment of the Senate numbered 87, and agree to the same with an amendment, as follows: Restore the matter stricken out by said amendment and after the sum "\$14,250,000" add the following: "; and such sum of \$3,000,000 is hereby made available from the appropriation of \$965,000,000 in section 201 (a) of the Public Works Administration Appropriation Act of 1938 and is hereby transferred to the Procurement Division, Treasury Department, for the purposes of this paragraph: *Provided*, That such sum of \$3,000,000 shall not be subject to any of the other provisions of such Act"; and the Senate agree to the same.

Amendment numbered 90: That the House recede from its disagreement to the amendment of the Senate numbered 90, and agree to the same with an amendment, as follows: After the word "attendants" in the last line of the matter inserted by said amendment

insert the following: "; and for their food and shelter at Gettysburg"; and the Senate agree to the same.

Amendment numbered 91: That the House recede from its disagreement to the amendment of the Senate numbered 91, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert the following: "Flood control, Mississippi River and tributaries: The Secretary of War, upon approval by the President, is authorized to transfer not to exceed a total of \$6,000,000 from the sum of \$18,000,000 made available by the War Department Civil Appropriation Act, 1939, from the appropriation in section 1 (1) of the Emergency Relief Appropriation Act of 1938, to the appropriation contained in such War Department Civil Appropriation Act, 1939, for 'Flood control, Mississippi River and tributaries': *Provided*, That such authorization for transfer of funds shall not become effective unless and until there is enacted into law the provisions under the heading 'Lower Mississippi River' contained in H. R. 10618, Seventy-fifth Congress, entitled 'An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes'; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 43, 44, and 58.

C. A. WOODRUM,
JOHN J. BOYLAN,
CLARENCE CANNON,
LOUIS LUDLOW,
J. BUELL SNYDER,
ROBERT L. BACON,

Managers on the part of the House.

ALVA B. ADAMS,
CARTER GLASS,
KENNETH MCKELLAR,
CARL HAYDEN,
JAMES F. BYRNES,
FREDERICK HALE,
JOHN G. TOWNSEND, Jr.,

Managers on the part of the Senate.

Mr. WOODRUM. Mr. Speaker, I call up the conference report upon the bill H. R. 10851, the deficiency appropriation bill.

The SPEAKER. The Clerk will report the conference report.

The Clerk read the conference report.

Mr. WOODRUM. Mr. Speaker, the conference report on the deficiency bill, which is now before the House, is a complete report, and a complete agreement among the conferees of the two bodies, with the exception of three amendments which will be called up in a few moments. Amendment numbered 43, having to do with the purchase of land in Tahoe National Park, amendment numbered 44, having to do with the cooperative farm-forestry program, and amendment numbered 58, relating to the Reclamation Service, are still in disagreement. Otherwise it is a complete report and agreement, not a unanimous agreement, but an agreement. I do not wish to take the time of the House in going over these 104 amendments. I think we all know pretty well what is in the report, and if there is anything that any gentleman is particularly interested in, I should be very glad to yield briefly to questions.

There is one matter included in the conference report which the conferees on both sides agreed should be given attention in the making of this report. The Senate provided extra compensation to four night messengers of the Government Printing Office on congressional work. This extra allowance, in addition to their regular pay, has been a custom for some years. One messenger included by the Senate had never received it, and he has been excluded in the conference agreement. It was the opinion of the conferees that the allowance should not be made for any of them at this time, but inasmuch as this custom has prevailed, that it would be included this once and final time, and that hereafter it would be discontinued.

Mr. STEFAN. Mr. Speaker, will the gentleman yield?

Mr. WOODRUM. Yes.

Mr. STEFAN. Is the item of \$50,000 for an appropriation for road work in Central American countries in the conference report, and is this money to be used for road construction or for engineering?

Mr. WOODRUM. It is limited to engineering purposes only.

Mr. STEFAN. There will be no steel and cement or material bought to build roads in South and Central American countries?

Mr. WOODRUM. No.

Mr. DOXEY. Mr. Speaker, I understand that there is a disagreement on amendment No. 44, which relates to cooperative farm forestry.

Mr. WOODRUM. Yes.

Mr. DOXEY. And that the gentleman is going to move the previous question on the conference report, and will then later take up the amendments in relation to forestry?

Mr. WOODRUM. Yes.

Mr. ROBINSON of Utah. What about the item put in by the Senate with reference to the Bureau of Mines?

Mr. WOODRUM. It is in the bill, with provision that the funds come out of the Public Works Administration money.

Mr. ROBINSON of Utah. And as I understand it, that fund is so earmarked?

Mr. WOODRUM. Yes.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. WOODRUM. Yes.

Mr. RICH. What was done with the shelterbelt forest area in the West?

Mr. WOODRUM. That is in disagreement and will come up after the conference report is disposed of.

Mr. RICH. Has the Senate asked for money to continue the planting of trees in that shelterbelt?

Mr. WOODRUM. One million three hundred thousand dollars.

Mr. RICH. And the gentleman is going to take that up later, as far as the House is concerned?

Mr. WOODRUM. Yes.

Mr. RICH. What was done about reclamation?

Mr. WOODRUM. There are a number of items in respect to reclamation.

Mr. RICH. And they are in disagreement?

Mr. WOODRUM. No; they are disposed of in the conference report, with one exception. With respect to a great many of them we did something and with respect to others we did nothing.

Mr. WHITTINGTON. Mr. Speaker, will the gentleman yield?

Mr. WOODRUM. Yes.

Mr. WHITTINGTON. What about amendment No. 91, with respect to \$12,000,000 for flood work in the lower Mississippi?

Mr. WOODRUM. That is reduced to \$6,000,000, and it is provided that the funds shall come out of the W. P. A. money, which was earmarked in the War Department civil appropriation bill.

Mr. WHITTINGTON. In other words, that is not to come out of the regular appropriations for the next fiscal year?

Mr. WOODRUM. That is correct.

Mr. WHITTINGTON. And this will be for purposes generally under the act as submitted in the amendment?

Mr. WOODRUM. Yes.

Mr. TARVER. Will the gentleman explain the action the conferees took in regard to the refunding of taxes under the Bankhead bill, cotton-gin taxes, tobacco, and potatoes?

Mr. WOODRUM. The processing tax refunds as they passed the House are agreed to in the Senate.

Mr. TARVER. I am not referring to the processing tax, but to the cotton-gin taxes.

Mr. WOODRUM. Provision is made for the payment of these taxes. I yield 5 minutes to the gentleman from New York [Mr. TABER].

Mr. GREEVER. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield.

Mr. GREEVER. Will the gentleman from Virginia tell us what was done in conference about Senate amendment No. 55 dealing with the Tucumcari project?

Mr. WOODRUM. The amount was split in half.

Mr. GREEVER. Two hundred and fifty thousand dollars was allowed?

Mr. WOODRUM. Yes.

Mr. TABER. Mr. Speaker, I am opposed to this conference report.

The House has yielded to the Senate on almost everything. The only item on which the Senate yielded to the House was the two buildings for the War Department and the Social Security Board, but instead of increasing the amount of the direct appropriations in this bill these items are taken out of the relief bill. The total amount to come out of the relief bill will be \$6,300,000.

The Senate increases allowed amount to \$14,314,000, including in the things that are allowed such ridiculous items as this Tucumcari reclamation point in New Mexico which even the reclamation-minded Department of the Interior refuses to approve. The Tucumcari proposition is absolutely ridiculous. Two hundred and fifty thousand dollars is carried in this bill to start it. If we start it, it means that we have got to appropriate the balance of \$8,000,000. It will bring 45,000 acres under cultivation in a place where they cannot produce enough to make a living. I do not think it is an economical performance or anything that ought to be allowed.

Another thing they did, and I am giving only the high spots, is to include the toy-balloon item, this so-called dirigible. Let me read you what Admiral Leahy, Chief of Operations of the Navy Department said about it:

Have you seen anything to indicate that they had any military value?

Admiral LEAHY. I have not.

Mr. PHILLIPS. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield.

Mr. PHILLIPS. Will the gentleman tell the House what the Assistant Secretary of the Navy said?

Mr. TABER. Oh, he wanted it; but he did not know why he wanted it.

Mr. PHILLIPS. I disagree with the gentleman. Will the gentleman read his testimony before the Naval Affairs Committee?

Mr. TABER. He did not tell us any reason in our committee. Admiral Cook, in charge of the Bureau of Aeronautics told us that he would like it, but when it came to cross-questioning him his ideas of what it could be used for did not show it to be of any military value.

Mr. KELLER. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield.

Mr. KELLER. Is not that very true of the beginnings of almost all these new things that afterward succeeded all over the world?

Mr. TABER. I expect the gentleman wants to be a party to criminally creating more ships of this kind to blow up just like the *Macon* and the *Akron* did. Now, I do not want to be a party to doing any such thing as that. These things have been a failure. The Bureau of Aeronautics told us that they were structurally defective, that they were built by Germans imported from the Zeppelin outfit. That is just what will happen on these things. They have no military value whatever in view of the development that is taking place with reference to trans-Atlantic flights of heavier-than-air craft. They have absolutely no commercial value, because they cannot come within 25 percent of the speed of heavier-than-air craft crossing the Atlantic. I do not want to be a party to anything of that kind.

This item for continuing these roads in Central America is absolutely ridiculous. Fifty thousand dollars is carried to pay engineers who have nothing to do. Why, they have gone down there and built a bridge in Honduras that has cost them over \$1,000,000. They put in their report of the contributions that Honduras made, and all they amount to is a refund of the duty that Honduras otherwise would have collected on the steel that has gone into the construction of the bridge. Furthermore, the bridge is not in a place where it can be used, because Honduras has decided to make the road go through her capital and not where the bridge is. [Laughter.]

I hope this sort of operation will be disapproved. We cannot go on with this kind of thing in the last days of the session and get anywhere.

[Here the gavel fell.]

Mr. WOODRUM. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The question was taken; and on a division (demanded by Mr. TABER) there were—ayes 246, noes 31.

So the conference report was agreed to.

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Amendment No. 43, page 31, line 11, insert:

"Acquisition of lands for national forests, Tahoe National Forest: To enable the Secretary of Agriculture to carry into effect the provisions of sections 1 to 4, inclusive, of the act entitled 'An act to provide for the acquisition of certain lands for and the addition thereof to the Tahoe National Forest, in the State of Nevada, and the acquisition of certain other lands for the completion of the acquisition of the remaining lands within the limits of the great Smoky Mountains National Park in east Tennessee,' approved February 12, 1938, \$325,000."

Mr. WOODRUM. Mr. Speaker, I move that the House further insist on its disagreement to the amendment of the Senate No. 11.

Mr. O'MALLEY. Mr. Speaker, I offer a privileged motion.

The SPEAKER. The gentleman from Virginia moves that the House further insist on its disagreement to the amendment of the Senate No. 43. The gentleman from Wisconsin offers a preferential motion which the Clerk will report.

The Clerk read as follows:

Mr. O'MALLEY moves that the House recede from its disagreement to the amendment of the Senate No. 43 and concur in the same.

Mr. WOODRUM. Mr. Speaker, the item in disagreement is for \$325,000 for the purchase of additional land in the Tahoe National Forest. There is an authorization but the matter has not been presented to any of the regular committees of either body by a Budget estimate. There is no more reason for putting this item in the bill than there would be some hundreds of other authorized items that the Members of the House and Senate are interested in, for which there are no Budget estimates and which are not included in the appropriations for this session of Congress. There is \$325,000 involved in this.

The House conferees are unanimous in their opposition to it. I hope very much that my motion to further insist on disagreement will prevail. I may say that if the House further insists upon its disagreement, the matter will be very quickly disposed of in the other body.

Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin [Mr. O'MALLEY].

Mr. O'MALLEY. Mr. Speaker, I offered a motion to recede and concur in the Senate amendment because, in contacting the Bureau of the Budget a little while ago, the Bureau indicated to me it was not necessary for them to make an estimate. They also said they had not made an estimate.

This forest land bordering Lake Tahoe is being picked up and purchased by real-estate sharks right now; and, unless this item is agreed to, the time will come very shortly when the Nevada side of the lake will be closed to public entry and this watershed will be lost. The only things that seem to have gotten the axe in this conference report are those having to do with land and forests, things that belong to the people. They have stricken out the \$200,000 for the forest-products laboratory in my State that has for years added much to the material wealth of this country through study and experimentation with forest products. They propose to strike out this amendment 44, which has to do with forestry work of the Department of Agriculture.

The plea I make to the Congress here is, do not let the land in the great watershed bordering Lake Tahoe get into the hands of these real-estate sharks who are now pur-

chasing it in small parcels, because the time will come when the Government and this Congress will be compelled, if they wish to preserve this wonderful lake and its border lands for the public, to buy this land back at 10 or 20 times what it may be obtained for now.

Mr. O'CONNOR of New York. Will the gentleman yield?

Mr. O'MALLEY. I yield to the gentleman from New York.

Mr. O'CONNOR of New York. The gentleman from Virginia [Mr. WOODRUM] moved to further disagree with this amendment. The gentleman from Wisconsin moved to recede and concur in the amendment.

Mr. O'MALLEY. That is right.

Mr. O'CONNOR of New York. If the motion offered by the gentleman from Wisconsin carries, this matter does not have to go back for further conference?

Mr. O'MALLEY. Yes. Therefore, we will not be delayed at all, at least not as much as if we further insist on the amendment. The plea I make is if you are a friend of our forests, if you are a friend of this beautiful lake, where many of you have been, and you want the public to get this land at the cheapest price at which the Government can get it, do not delay this matter, because I know that today there are men out there buying this up in small parcels. This is a small amount for the hundreds of acres of lake land that this Government can purchase cheaply, and I hope the House will agree to my motion.

[Here the gavel fell.]

Mr. WOODRUM. Mr. Speaker, I yield 5 minutes to the gentleman from Missouri [Mr. CANNON].

Mr. TABER. Will the gentleman yield for a question?

Mr. CANNON of Missouri. I yield to the gentleman from New York.

Mr. TABER. The failure of the Budget to send up an estimate here is always regarded by the Appropriations Committee as tantamount to a disapproval of appropriation of the money at this time?

Mr. CANNON of Missouri. No other view can be taken. Failure of the Budget Bureau to submit an estimate is necessarily regarded as disapproval by the Department having jurisdiction, and the committee declines to consider such proposals except in emergencies.

Mr. WOODRUM. Will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Virginia.

Mr. WOODRUM. Will the gentleman confirm the fact that if the House further insists upon its disagreement to this amendment it will not be necessary to go back to conference, but the matter will be disposed of in the Senate very speedily?

Mr. CANNON of Missouri. The gentleman is correct. While technically, further conference would be required, assurance may be given that the action taken by the House is final.

Mr. Speaker, the problem involved here is very simple. It is merely a question of whether we will comply with the law and follow the established routine of a quarter of a century or annul the law and disregard established priorities; whether we will proceed in an orderly manner and determine the order in which acquisitions are made on their merits or arbitrarily set aside the functions of the national commission and favor one project and one State at the expense of all other projects and all other States in the Union.

The National Forestry Conservation Commission was established in 1911 with authority to pass upon all purchases, and from that day to this has discharged its functions without criticism or objection from either House of Congress. Upon its decisions and approval the Department has expended the funds provided for the purpose and has purchased from year to year, in the priority indicated by needs of the country, such lands as were required in the order of their respective merit.

I do not believe there is a Member on the floor of the House today who will not agree that is the way it ought to be bought.

There must be some responsible, experienced, authoritative agency of the Government authorized to say where we should buy land and when it should be bought. The National Forestry Reservation Commission is just such an agency, and in that capacity it has functioned for 25 years to the entire satisfaction of the Department and the Congress. And certainly there is no occasion at this late day to repudiate the Commission or arbitrarily disrupt its program.

Mr. O'MALLEY. Mr. Speaker, will the gentleman yield?

Mr. CANNON of Missouri. I yield to my friend, the gentleman from Wisconsin.

Mr. O'MALLEY. I agree with the gentleman, but this Commission seems to me to be taking so long to make up its mind on this land that the real-estate sharks will have their hands on the land, as they are doing now, before the Commission gets around to getting the land for the Government.

Mr. CANNON of Missouri. The Commission is following the same routine followed for years, and if it has not approved a purchase there must be some good reason for its delay.

Mr. DOXEY. Mr. Speaker, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the distinguished author of the Doxe-Norris law, the gentleman from Mississippi.

Mr. DOXEY. As a member of the Commission, of course, I am very much interested in this matter. May I ask the distinguished gentleman from Wisconsin if this matter has ever been presented to the Commission? The Commission cannot function until we have an agenda and matters are placed on the docket. When this question comes up on the docket it will be considered, but I, as a member of that Commission, and the gentleman from Michigan [Mr. WOODRUFF], who is also a member, will bear me out on this, will tell you that we have never had a chance to consider it.

Mr. O'MALLEY. My answer is that this matter was submitted to the Commission.

Mr. DOXEY. We cannot consider it until it is brought up.

Mr. CANNON of Missouri. As the gentleman from Wisconsin says, the matter has been submitted to the Commission. I want you to understand that this proposal here is to disregard the regularly constituted tribunal and override the decision of the Commission and the law under which it is operating, and has operated so long and so satisfactorily. I do not believe the Congress wishes to take that drastic step simply because some pet project has not been given special favors regardless of its merits, and at the expense of every other project and every other section of the country.

The Forestry Reservation Commission not only has authority to approve the purchase of this particular parcel of land but it has the money. In addition to the unexpended funds on hand at the end of the fiscal year, the agricultural appropriation bill just sent to the President carries \$3,000,000 additional for this exclusive purpose. The Commission has ample authority and ample funds to take care of this special project if it is a meritorious proposition. It can do it under the law without this amendment or any further legislation of any kind. The very fact that the amendment is offered naturally leads us to wonder if it has any merit or if circumstances are such as to make it an emergency. If so, all that is necessary is to bring it regularly before the Commission, and the Commission can authorize immediate purchase. The attempt to force the item into this bill, where it has no place, is tantamount to an acknowledgment that the land ought not to be bought.

He that entereth not by the door into the sheepfold but climbeth up some other way * * *.

But the most serious effect of this amendment is its disregard for the rights of other States. What effect would it have on proposed purchases of land in your own State? You are observing the proprieties. You are submitting requests for the purchase of land in your State and your district to the Commission instituted for that purpose. And suddenly, without rhyme or reason, this amendment strong-arms its way

into the bill and pushes out your projects and delays by at least a year purchases of land which otherwise would have been made in their regular order.

Mr. Speaker, the House conferees have considered this amendment conscientiously. They can find no single reason why the law should not take its course and why the Commission should not pass upon the claims of this project in exactly the same way they have passed on the claims of every other project for the last 25 years. To do otherwise is to invite chaos in which there will be a mad scramble by representatives from all sections seeking to secure approval through appeal to political considerations regardless of the needs of the country and the carefully considered program under which such satisfactory progress has been made ever since the establishment of the Commission. I trust the House will sustain the conferees and reject the amendment.

Mr. WOODRUM. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the preferential motion offered by the gentleman from Wisconsin [Mr. O'MALLEY].

The motion was rejected.

The SPEAKER. The question recurs on the motion offered by the gentleman from Virginia [Mr. WOODRUM].

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The clerk read as follows:

Senate amendment No. 44: On page 31, line 21, insert the following:

"MISCELLANEOUS

"Cooperative farm forestry: For carrying out the provisions of the Cooperative Farm Forestry Act (50 Stat. 188), approved May 18, 1937, \$1,300,000, which amount shall be available for the employment of persons and means in the District of Columbia and elsewhere: *Provided*, That not more than 20 percent of this amount shall be expended on the prairie States forestry project in the prairie plains region."

Mr. WOODRUM. Mr. Speaker, I move that the House insist upon its disagreement to the Senate amendment.

The SPEAKER. The Clerk will report the motion of the gentleman from Virginia.

The Clerk read as follows:

Mr. WOODRUM moves that the House insist upon its disagreement to Senate amendment No. 44.

Mr. DOXEY. Mr. Speaker, I offer a preferential motion that the House recede and concur in Senate amendment No. 44.

The SPEAKER. The Clerk will report the motion of the gentleman from Mississippi.

The Clerk read as follows:

Mr. DOXEY moves that the House recede and concur in Senate amendment No. 44.

Mr. WOODRUM. Mr. Speaker, I yield myself 5 minutes.

Mr. DOXEY. May I ask the distinguished gentleman who has charge of the time; how much time he is going to yield me on this very important proposal?

Mr. WOODRUM. According to our conversation a moment ago, I anticipate yielding 20 minutes to the gentleman for his side of the controversy, to be yielded by him to others as he sees fit.

Mr. DOXEY. The gentleman knows I want to cooperate and agree when I can. I will have 20 minutes, and the gentleman is going to close?

Mr. WOODRUM. The gentleman from Missouri [Mr. CANNON] will close.

Mr. Speaker, this amendment involves the program of cooperative farm forestry. The Budget sent an item to the Committee on Appropriations for \$1,300,000 for farm forestry. The subcommittee of the House Committee on Appropriations considered the matter and appropriated \$100,000. This action was confirmed by the House when the agricultural bill was before the House for considera-

tion. The Senate Committee on Appropriations also considered the Budget item of \$1,300,000 and failed to increase the item in the regular agricultural bill in the Senate. No action was taken in the Senate, so the regular agricultural bill passed both Houses and has become a law with no further action having been taken on this matter because of very serious and strenuous objections to it.

When the deficiency bill, this bill, was before the House a short time ago, an amendment was offered on the floor of the House undertaking to insert this item in the bill.

Mr. DOXEY. Mr. Speaker, will the gentleman yield?

Mr. WOODRUM. I yield to the gentleman from Mississippi.

Mr. DOXEY. Will the gentleman inform me who offered that amendment?

Mr. LUCKEY of Nebraska. I offered the amendment, I may say to the gentleman.

Mr. DOXEY. When the agricultural bill was before the House?

Mr. WOODRUM. No; when this deficiency bill was before the House.

The matter was then discussed and considered by the Committee of the Whole, and the amendment was defeated.

Now, Mr. Speaker, that is the situation. This is not an emergency matter. There is nothing in the nature of a deficiency about it. The matter has been carefully considered by both committees of the Congress at this session, and the conferees of the House, unanimously, are very anxious that the House sustain our action in objecting to it, but we made the promise to the conferees of the Senate that we would bring the matter back here for a vote, and your vote will determine it. If you sustain the motion I have made to further insist upon our disagreement, the matter will go out of the bill and it will not be necessary to go back into conference again.

Mr. Speaker, I yield 20 minutes to the gentleman from Mississippi [Mr. DOXEY].

Mr. DOXEY. Mr. Speaker, I yield myself 10 minutes.

Mr. Speaker, to my mind this is a most important situation, and I may say to you frankly that if it were not it would not be my purpose to take up the time of the House in discussing it at this time. I think I know the temper of this House, and I know you want to adjourn. However, on account of my tremendous interest in the matter, I hope you will not think I am imposing upon the House because I do not believe I have been guilty of taking the time of this House unnecessarily on any proposition; but, Mr. Chairman, the distinguished chairman of this committee told you in general the legislative history of this matter. In May 1937, what is known as the Norris-Doxey bill passed this House, passed the Senate, and was signed by the President. At that time the agricultural appropriation bill for 1937 had been taken up and fashioned, and when that bill came up for consideration this year the Budget had recommended \$1,200,000, or \$1,300,000, I have forgotten which, but I believe the gentleman from Virginia said \$1,200,000. Under the Norris-Doxey Act, however, the Budget put a provision in there that \$1,000,000 should go into the shelterbelt, leaving only \$200,000 for the rest of the country. I oppose this.

This caused some dissension for the reason that this farm-cooperative measure was for the farm-forest program throughout the United States, from the Great Lakes to the Gulf and from the Atlantic to the Pacific.

We were friends of the shelterbelt, and we still are, and we realize the importance of doing something out there, but it was left out of the appropriation bill, and when the agricultural appropriation bill came up on the floor this year this was the situation. I think I have been one of those who has tried to cooperate with all the committees, including the shelterbelt fellows, but I may say frankly I opposed \$1,000,000 for the shelterbelt and just \$200,000 for the rest of the country. I want an equal and equitable provision to prevail, but we said we would not offer an amendment to the appropriation bill in the House but we would

work out our differences and agree when it would be considered in the Senate. We did agree on an 80-20 percent division of funds. I cannot tell you why it was not put on the agricultural appropriation bill in the Senate, but it was not. The gentleman from Virginia is right about that. It was not put on the agricultural appropriation bill and I did not know until this very moment that my distinguished friend from Nebraska [Mr. LUCKEY] offered his amendment to the deficiency bill when it was considered here in the House. I do know that together with the gentleman from Nebraska and my colleague from Mississippi [Mr. COLMER] and the Florida boys I went before this deficiency appropriation committee and they did not put it on then because the committee said it was not an emergency. However, we did our best.

Mr. Speaker, there are all kinds of degrees of emergency, and I may say that the Senate considered this matter and voted to put this item in the bill by a record vote of 61 to 15. If you will read the remarks of Senator NORRIS, of Nebraska—that grand old man, that great statesman—in the Record of last Tuesday night, June 14, you will see the necessity and the absolute impending necessity and emergency for this item to be included in this deficiency bill.

Mr. Speaker, the farm cooperative forestry program is one that has a far-reaching effect. Today 185,000,000 acres of farm forest lands are not being treated properly, but even as they are being handled now they bring a national revenue of over \$64,000,000 annually. There are two and a half million farm people interested in this great forest program and as I have said to you, the Senate has included it in this deficiency bill by a record vote of 61 to 15. They believe in this program.

I was not apprised of the announcement made by my distinguished friend from Virginia [Mr. WOODRUM], or the distinguished gentleman from Missouri [Mr. CANNON], that the Senate conferees had agreed that no matter what happened on the floor here they were going to lay down and agree with the House conferees. I do not know whether they are or not, but I know they were admonished in the Senate when the Senate put this item on there to let it mean something, and I believe it will mean something and I know there is something to it, and I know that if you recede and concur in the Senate amendment there will be no doubt about our adjourning immediately. Not being a conferee on this bill I am not otherwise informed.

I do not want anything here but what we are entitled to. Now, I will tell you who are in favor of this. The Budget recommended it, all the departments are for it, all the farm organizations, so far as I know, are for it, but the nurseries, not all of them but some of them, have carried on an organized fight and spread all kinds of propaganda here and this has had a telling effect. It has blocked this appropriation thus far or at least had much to do with its defeat.

Frankly, I am going to see, if I can, that we have a record vote, because I do not want the American people to feel that some of the nursery people, on account of a powerful lobby, can control legislation—rather, appropriations—in the House of Representatives. I have never done anything here to put anybody on the spot, but spot or no spot, I feel that a show-down should happen on this, because the nursery people—not all of them—have bitterly opposed this provision. It was put into the Record that some of them were writing people to compliment the Congress, because they kept this appropriation from being made. The nurseries who are opposing this are in their own light. Eventually it will help nurseries.

Mr. MICHENER rose.

Mr. DOXEY. Oh, I knew the gentleman from Michigan would rise, but I gladly yield to him for a question.

Mr. MICHENER. Not to exceed 20 percent of this is to be used for the shelterbelt. A part of this money, as I say, is to be used in connection with the shelterbelt to be built in the Middle West, and which has been declared and admitted to be a failure, even by the gentleman.

Mr. DOXEY. I do not yield any further. Twenty percent of it is to be used in the shelterbelt. Whoever said the shelterbelt is a failure said so because he does not know anything about it. I can show you pictures, and Senator NORRIS showed pictures where a crop was planted, where the shelterbelt had been developed, and the crop grew, because the trees held the moisture. If you want to be selfish about it, vote it down. If you want to be constructive and help future generations, vote for my motion.

Mr. McFARLANE. Mr. Speaker, will the gentleman yield?

Mr. DOXEY. Yes; with pleasure.

Mr. McFARLANE. I just want to say that part of this shelterbelt program is in the west end of my district, and in the district of the gentleman from Texas [Mr. JONES], and throughout that area, and pictures I have in my possession clearly show that it has been a tremendous success.

Mr. DOXEY. People may have an honest difference of opinion, but I am willing to leave this as to the possibility of the shelterbelt in the hands of this Congress. The shelterbelt gets 20 percent of this appropriation, and we are very glad they do; the rest of the country gets 80 percent. The legislation is definite and specific. The other 80 percent goes to every farmer that is interested in the farm-forestry program throughout the country, and no man will deny, in my humble judgment, that we have not a real farm-forestry program throughout the length and breadth of the United States. If you are for a farm-forestry program vote for this motion of mine. The Senate put it in for \$1,300,000. As far as the merits and the purposes of cooperative farm-forestry is concerned, that was discussed by the able senior Senator from Nebraska [Mr. NORRIS]. I could not begin to discuss the merits of the Norris-Doxey Farm Forestry Act within the time allotted me here tonight. I have promised to yield others here some time on this important motion.

Mr. LUCAS. Mr. Speaker, will the gentleman yield?

Mr. DOXEY. Yes; certainly.

Mr. LUCAS. Will the gentleman explain to the House how this money is distributed among the farmers?

Mr. DOXEY. I shall be delighted to. The nursery people are against it because they tried to get the Department of Agriculture to guarantee that they would buy the trees from them. The Department of Agriculture said "No, we will give you a chance; we will buy some from you, and use some of the trees from our own nurseries."

If the nurserymen knew what was good for them, they would be in favor of this because no ornamental trees will be sold. If I were in the nursery business, and I certainly am not—but if I was, I think I would not fight this motion, but I am not going to legislate here for the nurserymen or a part of them when we are trying to legislate for the farmers. We should try to help the farmer be forest minded.

The SPEAKER. The gentleman from Mississippi has used 10 minutes.

Mr. DOXEY. Mr. Speaker, I thank you—I yield 4 minutes to the gentleman from Nebraska [Mr. STEFAN].

Mr. STEFAN. Mr. Speaker, I have taken the floor many times in favor of this particular project. This amendment should remain in this deficiency appropriation bill because of the good it has accomplished, because I believe the farmers in my district who have seen the results of the work want it continued. I shall merely cover one phase of the argument in this debate, and that is in connection with what my colleague, Mr. Doxey, had to say about the nurserymen. I want to settle that question. My very distinguished chairman, a man for whom I have a great deal of respect, Mr. WOODRUM, said that there is a serious and strenuous objection to the amendment. By whom? One of the objections comes from the nursery people, as explained by Mr. Doxey. I would not do anything to injure any private industry. I want to tell you what the Forest Service has to say about that. Listen to this:

It would not permit the planting of stock owned by the Federal Government or in cooperation with States. It will not permit

the use of planting stock for landscaping or ornamental purposes, or on private land. Where established commercial nursery facilities are available, the Forest Service will not develop federally owned nurseries for the production of planting stock to be distributed to farmers or others.

I think that settles the question so far as the objections are made by the nurserymen of the country. If you could have listened to the hearings, the interesting and educational arguments for this particular project by the people from Nebraska, which show that this project is successful, you would have no doubt about the matter. Seventy percent of the trees are growing, and where these trees have been planted by the farmers, they have been able even during the drought to produce a crop, whereas on those farms where trees were not planted, there was no crop produced during droughts. I think the nurserymen can profit by this by killing this amendment. I think they are killing the goose that lays their golden eggs.

Mr. DOXEY. Mr. Speaker, the gentleman is familiar with the whole situation?

Mr. STEFAN. Yes.

Mr. DOXEY. Does the gentleman know of anybody that is against this bill outside of the nurserymen?

Mr. STEFAN. I have not heard any reasonable complaint. I have had letters from some nurserymen favoring this, and from some who oppose it. I do not want to injure private business. I feel this may help nurserymen.

Mr. WOODRUM. The gentleman, of course, knows that both committees of the House and Senate refused to put it in the agricultural appropriation bill?

Mr. STEFAN. The Senate voted 16 to 62 to put it back in. The committee was not unanimous against it.

Mr. JOHNSON of Oklahoma. Simply because the House made a mistake once is no reason why they cannot correct it later.

Mr. STEFAN. Certainly not. We, from Nebraska, originated tree planting. We know the value of a tree. We are just learning what grade of tree will grow in certain soil. This is a farm cooperative program and not a wild dream of gigantic shelterbelts. It is done by and with the consent and cooperation of the farmer himself.

[Here the gavel fell.]

Mr. DOXEY. Mr. Speaker, I yield 4 minutes to the gentleman from Kansas [Mr. HOPE].

Mr. HOPE. Mr. Speaker, I hope the House will recede and concur in this amendment. This amendment covers a large field, because farm forestry is becoming more important all the time. I feel that it offers a helpful approach toward a solution of some of our farm problems, and I hope the committee which is appointed to investigate the forestry situation in this country will give careful consideration to the matter of farm forestry. We have millions of acres of farm land in this country which is going to be taken out of the production of some of our surplus crops. Farm forestry offers an avenue through which farmers can put that land to some profitable use.

What I want to talk to you about particularly is the shelterbelt program. I know a great many of the Members think the shelterbelt program has been a failure. Within the last 10 minutes half a dozen Members of the House have told me so. I am speaking now as one who lives in the shelterbelt area, who has seen hundreds of acres of trees planted in the shelterbelt during the last 3 years, when conditions were more adverse from the standpoint of weather than they have ever been in any similar period in the history of the country; yet from 80 to 85 percent of those trees survived and are growing thriftily and vigorously today.

Mr. CASE of South Dakota. Mr. Speaker, will the gentleman yield?

Mr. HOPE. I am sorry, but I have not time.

Mr. DOXEY. Mr. Speaker, will the gentleman yield?

Mr. HOPE. I yield.

Mr. DOXEY. It is not a fact that the farm organizations are behind this appropriation for the shelterbelt program?

Mr. HOPE. As far as I know they are. I know I have a resolution from the Kansas State Board of Agriculture warmly commending and endorsing this program, and urging the continuance of the shelterbelt, and they are men who are speaking from actual observation and experience.

The only organized opposition to this program that I know of comes from the nurserymen. As has already been said by others, the only reason they are opposing it is because they think they ought to sell these trees instead of the Government supplying them. They do not question the value of the program. As a matter of fact, the Government has purchased from private nursery interests millions of trees for this program. The nursery interests of this country have not been able to furnish all of the trees of the kind and character the Forest Service wanted, and they have been compelled to raise these trees in their own nurseries. The nursery interests, of course, cannot furnish these trees as cheaply as the Government can raise and furnish them in large quantities, and so I assume that in the future the Government is going to produce its own trees very largely. But let me tell you something else as far as the nursery interests are concerned: They are ultimately going to benefit from this program because of the stimulus which it is giving forestry in this country. Out in the shelterbelt farmers are just beginning to learn that they can grow trees. All that are being furnished by the Government are forest trees. They are learning also that they can grow fruit and shade trees and ornamental trees of all types. So what the Government is doing will furnish a tremendous stimulus to the nursery business.

The shelterbelt is only a small part of the farm forestry program. I have discussed it because it is of particular concern to my district and because of the splendid work which has been done in that connection. Farm forestry, however, is a matter that concerns every one of the 48 States. It is a well-worked-out program which has been authorized by Congress under the Norris-Doxey Act. The appropriation has been approved by the Budget Bureau. The shelterbelt work will go on through the use of relief funds whether this amendment is adopted or not, but a general farm forestry program cannot be started until this appropriation is made. Such a worth-while program should not be longer delayed.

[Here the gavel fell.]

Mr. DOXEY. Mr. Speaker, I yield the balance of my time to the gentleman from Nebraska [Mr. LUCKEY].

Mr. LUCKEY of Nebraska. Mr. Speaker, I offered this amendment at the time when the deficiency bill was up for consideration in the House because I felt that it was absolutely necessary to provide the funds to carry out this cooperative Farm Forestry Act.

There is a tremendous amount of misunderstanding and misinformation in regard to what is known as the shelterbelt. Some Members of Congress have a wrong conception of what we are trying to do. They have an idea that we are planting rows of trees along the State lines from Canada down to Mexico. That is not the case.

This measure provides that trees be furnished to farmers to plant for wood lots, for windbreaks, for protection, and the like. The amendment calls for these funds to be distributed throughout the entire United States and sets aside only 20 percent for the Great Plains section, which constitutes the Dakotas, Nebraska, Kansas, Oklahoma, and Texas. These States have 500,000 farms, practically all of which lack tree protection for their croplands.

I have personally seen plantings that have been made under this program. They have made excellent growth under Government supervision in spite of adverse weather conditions.

Mr. ZIMMERMAN. Mr. Speaker, will the gentleman yield?

Mr. LUCKEY of Nebraska. I yield.

Mr. ZIMMERMAN. Do I understand that the Government, in addition to buying these trees, also digs the holes and plants the trees for the farmers?

Mr. LUCKEY of Nebraska. No; that work is done by the farmers. The Government gives instructions in order that this work will be carried out in a successful way.

You have already heard the history of this appropriation and you may hear more about it before the vote is taken. Let me point out just one thing in regard to the history of this appropriation. The President recommended it, the Bureau of the Budget recommended it, but the agricultural subcommittee of the Appropriations Committee refused to include it in the agricultural supply bill. That action was taken because of opposition to the shelterbelt and because of a well-organized nurserymen's lobby that has openly boasted that they have killed this item. You will notice that the amendment now before us has a limitation which provides that not more than 20 percent of this money can be expended on the Prairie States' forestry project. If the Appropriations Committee is so anxious to help the cooperative farm forestry committee, as they would seem to appear, then why did they not insert a provision striking out the Prairie States' forestry project entirely and report an item for the Cooperative Farm Forestry Act alone?

My friends, we need farm forestry. We who live in the Great Plains States need this work far more than many of you who have heavily wooded districts can imagine. Fields protected by shelterbelts of trees do not suffer from water and wind erosion. Yet this Congress has consistently refused to appropriate money to carry out the work of the Norris-Doxey Act. All you hear about is the old shelterbelt project and how it has already been condemned by this body. What you are really going to decide in this vote is whether or not you are going to bow down before an arrogant lobby of some misguided nurserymen and let the farmers down or whether you are going to carry out the Farm Forestry Act.

This whole Nation is soil-conservation conscious. We all know the extent of the recent dust storms which have denuded many fields of their fertility. Here this afternoon we have a chance to help stop that scourge of dust, not in a single State or in a few States but in many States, and we must keep up the good fight. This small amount of money, spread out all over the United States, will do more to help our farmers than any equal amount that you can spend. With all the sincerity that is humanly possible and in all good faith I say to you that we must not let the farmers down. I ask that you support this appropriation.

Mr. WOODRUM. Mr. Speaker, I yield 10 minutes to the gentleman from Missouri [Mr. CANNON].

Mr. TABER. Will the gentleman yield for a question?

Mr. CANNON of Missouri. I yield to the gentleman from New York.

Mr. TABER. How much would this program cost to start with?

Mr. CANNON of Missouri. There have been various estimates. All have involved the expenditure of large sums of money. Carried to its ultimate completion as originally projected it has been estimated to involve an expenditure of from a quarter of a billion dollars on up.

Mr. TABER. The committee went into that pretty thoroughly and decided we ought not to embark on this project any further than we have.

Mr. CANNON of Missouri. The committee has considered the shelterbelt, carried in the Senate amendment every year since 1935. When first presented the committee approached it in a rather sympathetic frame of mind on account of the drought extant at the time, but after holding hearings, did not feel warranted in recommending it, and has reached the same conclusion each year since. The House has considered it every year since 1935 and has defeated it by overwhelming vote each time it has been offered.

Mr. LAMBERTSON. Will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Kansas.

Mr. LAMBERTSON. Is it not true that 2 or 3 years ago we provided a liquidation of the shelterbelt?

Mr. CANNON of Missouri. Yes; Congress provided an appropriation to be used for that express purpose.

Mr. LAMBERTSON. The Forest Service refused to liquidate. It never gave up its rooms in Lincoln and refused to abide by the mandate of Congress. That is one thing against this.

I may say that trees in western Kansas and Nebraska were experimented with 40 years ago. I was out there and homesteaded 30 years ago. They have had experience with growing trees around the windmills, so this is nothing new that they have discovered. Further, last year trees died in western Kansas and western Nebraska that had been in existence for 15 years. I do not see how 85 percent of the new trees lived, when old trees that were 15 or 20 years old died.

Mr. CANNON of Missouri. The gentleman from Kansas [Mr. LAMBERTSON] has probably made a closer study of the subject and is perhaps as well qualified to pass on its merits as any Member of either House. His statement as to the impracticability of the shelterbelt have all been fully borne out by the evidence submitted to the committee.

Mr. Speaker, the real question at issue here is the shelterbelt. It is a perennial question which has come before us each year since its inception. Strangely enough, it has never had legislative sanction. It was not authorized by Congress. It has never been approved by Congress, and no committee of the House or Senate has ever reported it favorably to either House. On the contrary, it has been emphatically repudiated every year, and both the Committee on Appropriations and the House itself have repeatedly issued "cease and desist" orders against it. But, like the desert thistle of its native habitat, it comes back each year. Let us hope we can dispose of it so conclusively this year as to eradicate it from future supply bills, especially the deficiency bills, where it has least excuse of all.

Mr. DOXEY. Will the gentleman yield in order to keep the record straight? This Norris-Doxey Farm Cooperative Act, which does not touch the shelterbelt, but is an incident to it, was not passed until May 1937. Do not confuse this with the entire shelterbelt proposition. It has never been defeated.

Mr. CANNON of Missouri. There is no occasion to confuse it. Every year they dress it in new language and incorporate it in a different item in the bill. Every year they give it a new name and insert it in a different place in the supply bills, but each year it is the same old shelterbelt in a different garb. This year they incorporated it in an appropriation for farm cooperation, but the proposal would not be before the House were it not for the fact that it was needed as a vehicle for the shelterbelt, and the debate in the Senate frankly discloses that fact.

The shelterbelt is not only one of the wildest Utopian dreams ever presented to a legislative body but it has the most remarkable history of any proposition ever submitted in the House within my recollection. It was instituted without congressional approval through allocation of \$15,000,000,000 from emergency funds in 1935. The Comptroller refused to approve the amount but finally consented to the use of a million dollars in starting the project. The following session of Congress application was made for a large appropriation for the purpose but was denied. Again funds were allocated from relief money. Two years ago the resentment of the House was so pronounced that it was determined to liquidate the entire shelterbelt proposition and \$170,000 was appropriated expressly to close it up and dispose of all remaining assets. We took for granted that was the end of it, but again provision was made from relief funds and instead of complying with directions from the legislative branch of the Government to liquidate it, a policy of expansion was started, and now they are bringing it in at this late date in the closing hours of the Congress embodied in an appropriation for forestry cooperation, in the hope that everybody is too tired and too anxious to start home to give it attention.

Mr. Speaker, so far as any appropriation for forestry cooperation or other activities under the Norris-Doxey Act

is concerned, we are ready and willing to consider it and report it out of the regular committees in the regular way, but the proposition before us now is primarily the shelterbelt. Other proposals in the amendment are incidental. They are carried merely to afford an opportunity to secure legislative authorization of the shelterbelt and if the camel once gets his nose under the tent it will be the signal for huge continuing appropriations without end. If they have spent \$5,000,000 up to this time without congressional approval or consent and in the face of 4 years of repudiation and orders to liquidate, what can we expect once legislative authorization is secured. The whole matter resolves itself into a question of whether policies of government are to be determined by Congress or by appointive officials in administrative departments. I trust the House will not surrender its prerogatives and abdicate its constitutional duties and functions by yielding on this amendment in the last legislative act of the session. [Applause.]

Mr. DOXEY. Mr. Speaker, I am going to ask the distinguished chairman to yield me 1 minute; that is all.

Mr. WOODRUM. I yield the gentleman 1 minute, Mr. Speaker.

Mr. DOXEY. Let me say I am amazed that my good friend puts this proposition squarely on a shelterbelt basis, when the Norris-Doxey Cooperative Farm Forestry Act applies to every State in the Union. It was reported out by my Committee on Agriculture and brought to the floor of the House and passed. The very language of this bill refers to it as the Cooperative Farm Forestry Act of May 18, 1937. The gentleman is trying to lay the whole thing on the shelterbelt proposition, and it is absolutely not a shelterbelt proposition. The only way the shelterbelt comes into it is on their word and the Budget estimate, and you know it. This appropriation is for the entire country, and only a portion of it will be spent in the shelterbelt.

Mr. WOODRUM. Mr. Speaker, I yield 1 minute to the gentleman from Missouri [Mr. CANNON].

Mr. LAMBERTSON. Mr. Speaker, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Kansas.

Mr. LAMBERTSON. All the noise on this proposition is coming from the shelterbelt.

Mr. CANNON of Missouri. I thank the gentleman. And I am certain it is understood that there is nothing personal in the opposition of the conferees to the Senate amendment. In fact, it is hardly necessary to explain the proposition. It has been before the House so often and has been debated so frequently that it is a matter of common knowledge. This year when it came up in the estimates for the agricultural appropriation bill the House committee rejected it, the Senate Committee on Appropriations rejected it, and neither the House nor the Senate included it. When it came up again on the deficiency bill both the House and Senate committees rejected it, and the House rejected it by a formal vote. Every phase of it is too well known and understood by Members to require debate or discussion. So far as appropriations for other purposes of the Doxey-Norris Act are concerned, I again assure everybody concerned that the committee will be glad to consider them in the regular bill. Nothing in the debate on the shelterbelt is intended to apply to such appropriations. But like dog Tray, they are in bad company, and if we allowed a single dollar of this appropriation it would be taken as an authorization of the shelterbelt and be made a basis for requests for appropriations in every future Department of Agriculture bill. I trust the House will take a position on the amendment consistent with its position on the question over the past 4 years.

Mr. WOODRUM. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the preferential motion of the gentleman from Mississippi [Mr. DOXEY] to recede and concur.

The question was taken; and on a division (demanded by Mr. WOODRUM) there were—ayes 72, noes 171.

Mr. DOXEY. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were refused.

Mr. DOXEY. Mr. Speaker I object to the vote on the ground a quorum is not present.

The SPEAKER. The Chair has just counted the attendance upon the floor of the House. Two hundred and forty-three Members are present, a quorum.

Mr. DOXEY. I withdraw my request, Mr. Speaker.

The SPEAKER. The question recurs on the motion of the gentleman from Virginia [Mr. WOODRUM] that the House insist on its disagreement to the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 58: On page 51 insert the following: "General investigations: The unexpended balance of the appropriation of \$200,000 to enable the Secretary of the Interior, through the Bureau of Reclamation, to carry on engineering and economic investigations of proposed Federal reclamation projects, surveys for reconstruction, rehabilitation, or extension of existing projects and studies of water conservation and development plans contained in the Interior Department Appropriation Act, fiscal year 1938, is hereby continued available for the same purposes for the fiscal year 1939."

Mr. WOODRUM. Mr. Speaker, I move that the House recede and concur in the Senate amendment and yield 2 minutes to the gentleman from New York.

Mr. TABER. Mr. Speaker, this appropriates \$100,000 without any authority of law for investigations on reclamation. Authority of law exists to appropriate this money out of the reclamation fund, but this takes the money out of the Treasury.

I hope the motion will not be agreed to.

The SPEAKER. The question is on the motion of the gentleman from Virginia to recede and concur in the Senate amendment.

The motion was agreed to.

A motion to reconsider the several votes by which the several motions were acted upon was laid on the table.

WORK RELIEF AND PUBLIC WORKS APPROPRIATION BILL

Mr. WOODRUM. Mr. Speaker, I call up conference report on the joint resolution (H. J. Res. 679) making appropriations for work relief, relief, and otherwise to increase employment by providing loans and grants for Public Works projects.

The Clerk read the conference report.

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the joint resolution (H. J. Res. 679) "making appropriations for work relief, relief, and otherwise to increase employment by providing loans and grants for public-works projects" having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendments of the House to the amendments of the Senate Numbered 74, 75, and 76, and agree to such House amendments.

The committee of conference report in disagreement Senate amendment Numbered 72 with the amendments of the House thereto.

C. A. WOODRUM,
CLARENCE CANNON,
LOUIS LUDLOW,
J. BUELL SNYDER,
JOHN TABER,
ROBERT L. BACON,
R. B. WIGGLESWORTH,

Managers on the part of the House.

ALVA B. ADAMS,
KENNETH MCKELLAR,
CARL HAYDEN,
JAMES F. BYRNES,

Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the further conference on the disagreeing votes of the two Houses on the amendments of the Senate Nos. 72, 74, 75, and 76, and the amendments of the House thereto, to the joint resolution (H. J. Res. 679) entitled "Joint resolution making appropriations

for work relief, relief, and otherwise to increase employment by providing loans and grants for public works projects" submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

On No. 74: The Senate accepts the amendment of the House to the amendment of the Senate providing an appropriation of \$212,000,000 for making price-adjustment payments to producers of wheat, cotton, corn, tobacco, and rice.

On No. 75: The Senate accepts the amendment of the House to the Senate amendment, the only effect of the House amendment being to strike out the section number and make the short title reference to title V a part of section 501 instead of a separate section.

On No. 76: The Senate accepts the amendment of the House to Senate amendment 76, the only effect of the House amendment being to change the section number.

Amendment in disagreement

The committee of conference report in disagreement Senate amendment No. 72 and the amendment of the House thereto. The Senate amendment appropriates \$1,000,000 for administrative expenses of the Rural Electrification Administration. The House concurred in the Senate amendment by providing \$500,000 in lieu of the \$1,000,000 and making the appropriation available for printing and binding in addition to the other purposes covered by the Senate amendment.

C. A. WOODRUM,
CLARENCE CANNON,
LOUIS LUDLOW,
J. BUELL SNYDER,
JOHN TABER,
ROBERT L. BACON,
R. B. WIGGLESWORTH,

Managers on the part of the House.

Mr. WOODRUM. Mr. Speaker, the only item involved in the conference report is amendment No. 74, which was the farm parity amendment. The Senate has receded and accepted the House amendment, so that is not in disagreement.

Amendments 75 and 76 are merely technical amendments with respect to section numbers.

Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

The SPEAKER. The Clerk will report the first Senate amendment in disagreement.

The Clerk read as follows:

Senate amendment to the House amendment to the Senate amendment No. 72: That the Senate agree to the amendment of the House of Representatives to the amendment of the Senate numbered 72 and in lieu of the sum named in the amendment of the House insert the following: "\$700,000: *Provided*, That no part of any appropriation contained in this or any other act for the fiscal year ending June 30, 1939, shall be available for the payment of enlistment allowance to enlisted men for reenlistment within a period of 3 months from date of discharge as to reenlistments made during the fiscal year ending June 30, 1939, notwithstanding the applicable provisions of sections 9 and 10 of the act entitled 'An act to readjust the pay and allowances of the commissioned and enlisted personnel of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service', approved June 10, 1922 (37 U. S. C. 13, 16)."

Mr. WOODRUM. Mr. Speaker, I move that the House agree to the amendment of the Senate to the amendment of the House to Senate amendment No. 72.

Mr. Speaker, this sounds very complicated, but what it really means is that we are increasing the expenses of the Rural Electrification Administration, I will say to the gentleman from Pennsylvania [Mr. RICH], as I know it will gladden his heart [laughter], and at the same time we are providing a further inhibition for 1 year against payment of the reenlistment allowances in the military and naval services.

No reenlistment allowances have been paid for the past 5 fiscal years in any of the services, and in the absence of permanent law stopping it, the inhibition has been shuttled about in economy bills and appropriation bills at one time or another. We have not paid them for 5 years, and the latter part of this amendment now before the House is a Senate amendment which discontinues for another year the payment of the reenlistment allowances.

Mr. Speaker, I yield 3 minutes to the gentleman from Mississippi [Mr. RANKIN].

Mr. RANKIN. Mr. Speaker, the adoption of this amendment completes our power program for the session. This Congress has done more for the farmers of this country, so far as rural electrification is concerned, than any other Congress in history.

A GREAT YEAR FOR THE AMERICAN FARMER

With this amount added for administrative expenses, with \$140,000,000 provided for rural electrification for the coming year, with the American people becoming educated on this great question which means more for the farmers of the nation than anything else Congress has ever done, I am encouraged to look forward to a great year for the rural people of this nation, and to the time when we will be able to electrify every farm home in America. [Applause.]

HOUSE LOSES VALUABLE MEMBER

Mr. Speaker, since this is probably the last opportunity I will have to address the House at this session of the Congress, I want to take this opportunity to thank the Members for their support of our power program, and for their uniform courtesy and consideration.

It is a matter of profound regret to us all that we are to lose one of the most valuable Members of this committee, the gentleman from North Carolina [Mr. UMSTEAD], who has declined to stand for reelection.

This is most regrettable for the reason that he has been in the House just long enough for his ability and usefulness to be recognized.

MEMBER'S USEFULNESS INCREASES WITH SERVICE

If a Member is honest, intelligent, courageous, and industrious, the longer he remains in Congress, the more valuable his services become.

This Government is the biggest institution on earth, and it takes a Member a long time to familiarize himself with all the rules of parliamentary procedure, the details of legislation, and the organization and workings of the various and sundry departments, bureaus, and commissions with which he has to deal. That is one of the reasons for the rule of seniority which obtains in both the House and in the Senate.

A Member not only becomes more useful and more effective by virtue of his experience here in the House and in dealing with the various departments of the Government, but his seniority causes him to gradually rise to a position of power and influence that cannot be attained in any other way.

I know it is common practice for candidates running against Members of Congress to point to the Member's long tenure of office, and urge that as a reason he should not be returned; when, as a matter of fact, if he has the other qualifications to which I have referred, it is one of the very reasons he should be returned.

The framers of our Constitution never advocated the principle of rotation in office as a reason for turning out efficient men and electing new ones in their places; but they did provide in the Constitution that the people should have the right to change if they so desired. They limited the term of office of a Member of this House to 2 years, in order that the people might have the right to change if the services of their representatives did not meet with their approval.

A few years ago, when the so-called "lame duck amendment" was before the Congress, an amendment was offered to change the term of Congressmen from 2 to 4 years. I led the fight against that amendment; I said that one of the most salutary provisions of the Constitution was that which gave the people a check on their Representatives in Congress and enabled them to get rid of an undesirable Member at the end of 2 years.

But that does not mean that worthy Members of Congress who serve a long time should be replaced, because, as I said, the longer they serve, the more valuable their services become.

Besides, the chairmanship of a committee carries with it great power and influence in shaping legislation, and chairmanships are only attained by seniority. I happen to be chairman of a committee myself, that of the Committee on World War Veterans' Legislation. If I were to go out of

the House, that chairmanship would go to another State, and the chances are that no representative from my State would occupy that position again for at least a generation. The same thing is true of other chairmanships. Because it would take many years for a new man to ever rise to a chairmanship, or to attain the position of ranking member on an important committee.

Take the Committee on Appropriations, one of the most powerful committees, if not the most powerful committee, in the House. Its chairman, Hon. EDWARD T. TAYLOR, of Colorado, has been a Member of the House for 30 years. The chairman of the powerful Committee on Ways and Means, Hon. ROBERT L. DOUGHTON, of North Carolina, has been a Member of the House for 28 years. The Chairman of the Committee on the Judiciary, Hon. HATTON W. SUMNERS, of Texas, and the distinguished Majority Leader, Hon. SAM RAYBURN, of that State, have both been in the House for 26 years. The chairman of the Committee on Naval Affairs, the gentleman from Georgia, Hon. CARL VINSON, has been a Member of the House for 25 years. The chairman of the Committee on Banking and Currency, Hon. HENRY B. STEGALL, of Alabama, has been in the House 24 years, and so has the distinguished Minority Leader, Hon. BERTRAND H. SNELL, of New York.

Our distinguished Speaker, Hon. WILLIAM B. BANKHEAD, of Alabama, has been in the House for 22 years, and so has the chairman of the Committee on Merchant Marine and Fisheries, Hon. SCHUYLER OTIS BLAND, of Virginia, as well as the chairman of the Committee on Agriculture, Hon. MARVIN JONES, of Texas, the Chairman of the Committee on Interstate and Foreign Commerce, Hon. CLARENCE F. LEA, of California, and also the chairman of the Committee on Rivers and Harbors, Hon. JOSEPH J. MANSFIELD, of Texas.

The ranking minority Members on these various committees are also men who have been in the House for many terms. If there should be a change in the party complexion of the House, they would automatically become chairman of their various committees. The ranking Republican member on the Ways and Means Committee, Hon. ALLEN T. TREADWAY, of Massachusetts, has served in the House for 26 years, as has also the gentleman from Michigan [Mr. MAPES], the ranking member of the Committee on Interstate and Foreign Commerce.

IMPORTANCE OF CHAIRMANSHIPS

Changing Members who are high up in committee assignments merely sets back the State from which that Member of Congress comes, and especially his district, so far as committee assignments are concerned.

I see before me the gentleman from Ohio, Hon. BROOKS FLETCHER, chairman of the Committee on the Census, one of the most important committees in the House, especially for the next 2 years. It is the only chairmanship, by the way, held by a Member of Congress from that State. If he were to retire from Congress, that chairmanship would be lost, so far as his State is concerned. And the same thing is true with reference not only to the chairman, but to the ranking members, whose years of service have caused them to rise in the committee and whose experiences in the House have rendered them more capable of discharging the duties and responsibilities which fall to their lot.

So, I regret, Mr. Speaker, to see our distinguished friend from North Carolina [Mr. UMSTEAD] decline to stand for reelection, and I believe I express the feelings of every Member of the House when I say that it would have been much better for his country, for his State, and for his district, if he could have made up his mind to remain in the service, especially during these trying times, when men of his ability, his courage and experience are so much needed in public life. [Applause.]

Mr. WOODRUM. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. SCOTT].

Mr. SCOTT. Mr. Speaker, I almost hate to do this, but for 3 years this thing has been going on. In 1933 they put a proviso on the Treasury-Post Office appropriation bill

stopping reenlistment allowance. I made a point of order against that in the Treasury-Post Office bill in 1937 and the point of order was sustained. At the end of the year they put the same proviso on the deficiency-appropriation bill. It came in as a conference report and you could not make a point of order against it. This year they put it in the deficiency-appropriation bill in the House again. The gentleman from New York [Mr. BACON] made a point of order against it and it was knocked out. It went over to the Senate, and they offered it as an amendment to put it in the deficiency-appropriation bill over there. A point of order was made against it there and the point of order was sustained. Now the conferees turn it back over to the Senate again and they put the reenlistment-allowance ban on the relief bill. I heard the gentleman from Missouri [Mr. CANNON] just a little while ago speak on the proposal offered by the gentleman from Mississippi [Mr. DOXEY] saying, do not put it in here, this is the deficiency-appropriation bill. Put it where it belongs. Where in the name of goodness can you find reason in putting on a relief bill a ban against payment of reenlistment allowances to the armed forces of the United States Government? But they finally drag it in here now on this third method in the relief bill.

When we had this subject under consideration in the House, and it was knocked out on the point of order, I offered four successive amendments, one to pay to the Navy, and the committee knocked it out, voted it down; then one to pay the Marine Corps, and the committee voted that down; then the Coast Guard, and the committee voted it down; and then to the Army and the committee voted it up. They voted for the amendment. It came on to a vote in the House, and on a roll call held in the House the vote was 205 to 121 to sustain the amendment. That showed that the House overwhelmingly is in favor of paying these reenlistment allowances to at least one branch of the service, after they found out what it was, and who was behind it, and what the law said on the subject. Now it goes to the conferees again, and is stricken out on the point of order. Let me say this to the gentleman from Missouri [Mr. CANNON] who should be down here defending this side of the proposition, that the House has expressed itself on this subject in an overwhelming manner. Here is the situation you will be in if you will just vote no on this amendment. It is not necessary for us to do anything about providing money, because the departments have to pay it. The law says they have to pay it. The law passed in 1922, in effect now, and only circumscribed by this proviso they keep sticking in here in every kind of a parliamentary procedure to get it up, says that it must be paid. It is not subject to a point of order on a conference report and still if you vote it down, it will not mean that you will have to appropriate any more money in this bill, it will not mean that you will have to go back to conference. You just say no, we do not want to put that in the relief bill. Maybe it does have a little bit to do with relief, because it is a relief in the form of \$75 to \$150 to the men of the armed forces as a result of the fact that they reenlist after their period of enlistment is ended. I ask you to vote this amendment down.

Mr. WOODRUM. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. IZAC].

Mr. IZAC. Mr. Speaker, I feel sincere on this question. I have never been an enlisted man, but I have served with them and I know what this means to them. The total sum that it will cost the Government of the United States is \$6,000,000 in 1 year, and that \$6,000,000 will be amply repaid, because you will not have to train new recruits, you will not have to give them clothing allowances, both of which will add up to a whole lot more than \$6,000,000 in 1 year. I do not like the way this is brought in on this floor. The other day we beat this proposition, this prohibition against paying to the enlisted men the thing that is justly their right, and now, under subterfuge, this committee joins with conferees of the other body and brings in something in a

relief bill where it does not belong. That is not keeping faith with this House.

Mr. O'MALLEY. Mr. Speaker, will the gentleman yield?
Mr. IZAC. Yes.

Mr. O'MALLEY. The conferees did not have to be under any misapprehension as to how the House felt about it, because the will of the House was expressed in a roll-call vote.

Mr. IZAC. By a vote of 205 to 121 we threw out this prohibition that has existed for the last 5 years. This is the only thing that remains of the old economy bill, as it affects the armed services of the country. It is unjust to the men, even if you do not think of economy; and it means both economy for the taxpayers and justice to the men. I ask you to vote down this amendment.

Mr. WOODRUM. Mr. Speaker, this amendment not only affects the reenlistment pay, about which the gentleman from California [Mr. SCOTT] has spoken, but it provides \$200,000 more for the administrative expenses of the Rural Electrification Administration, which I should hate very much to see defeated.

Mr. Speaker, I move the previous question on the amendment.

The previous question was ordered.

The SPEAKER. The question is on the motion of the gentleman from Virginia.

The question was taken; and on a division (demanded by Mr. WOODRUM) there were—ayes 147, noes 43.

So the motion was agreed to.

A motion to reconsider the vote by which the amendment was agreed to was, on motion of Mr. WOODRUM, laid on the table.

SINE DIE ADJOURNMENT RESOLUTION

Mr. RAYBURN. Mr. Speaker, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read as follows:

House Concurrent Resolution 67

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress shall adjourn on Thursday, the 16th day of June 1938, and that when they adjourn on said date they stand adjourned sine die.

The SPEAKER. The question is on the resolution.

Mr. GRAY of Indiana. Mr. Speaker, I demand the yeas and nays.

The SPEAKER. Those who favor taking this vote by the yeas and nays will rise and stand until counted. [After counting.] One Member has arisen, not a sufficient number. The yeas and nays are refused.

So the resolution was agreed to.

DELIVERY RATE ON CERTAIN FIRST-CLASS MAIL MATTER

Mr. HAINES. Mr. Speaker, I call up the conference report on the bill (H. R. 2716) to provide for local delivery rates on certain first-class mail matter and for other purposes, and move its adoption.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 2716) to provide for the local delivery rate on certain first-class mail matter, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment to the text of the bill.

That the Senate recede from its amendment to the title.

HARRY L. HAINES,
HENRY C. LUCKEY,
N. M. MASON,
PAUL W. SHAFER,

Managers on the part of the House.

KENNETH MCKELLAR,
CARL HAYDEN,
LYNN J. FRAZIER,

Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 2716) to provide for the local delivery

rate on certain first-class mail matter submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The House bill extended the 2-cent rate of postage to letters posted for delivery within the county of mailing, provided the county had a population of over 1,000,000 and was entirely within a corporate city.

The Senate amendment struck out the language of the House bill and inserted in lieu thereof a provision establishing in the county of Queens, N. Y., a Queens County post office which would embrace within its delivery limits all points within the boundaries of the county. All existing post offices in the county would be abolished and established as branch offices.

The conferees adopted the language of the House bill.

HARRY L. HAINES,
HENRY C. LUCKEY,
N. M. MASON,
PAUL W. SHAFER,

Managers on the part of the House.

The conference report was agreed to.

BERTRAM RICH

Mr. KENNEDY of Maryland. Mr. Speaker, I call up the conference report on the bill (S. 662) for the relief of Bertram Rich.

The Clerk read the conference report.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 662) entitled "An act for the relief of Bertram Rich" having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House numbered 3, and agree to the same with an amendment, as follows: In lieu of the figures "\$750" insert "\$1,274"; and the House agree to the same.

That the Senate recede from its disagreement to the amendments of the House numbered 1, 2, 4, 5, and to the amendment to the title and agree to the same.

AMBROSE J. KENNEDY,
FRANCIS H. CASE,
HERMAN P. EBERHARTER,

Managers on the part of the House.

PRENTISS M. BROWN,
JOHN G. TOWNSEND, Jr.,
J. W. BAILEY,

Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 662) for the relief of Bertram Rich, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report:

The Senate passed this bill allowing claimant \$1,574 for personal injuries suffered by his minor daughter, Jeanne Rich, when the automobile in which she was riding was struck by a United States mail truck. Though the child's injuries were of a minor character, except a permanent disfiguring scar on the left side of her face, we reduced the allowance in the bill to \$750. At the conference, the Senate insisted on its allowance but the House effected a compromise allowance of \$1,274, the \$74 representing medical expense, to which all conferees have agreed. A picture of the child, not previously viewed by the House, justifies this compromise allowance for the permanent scarring.

The remainder of the House amendments were simply form corrections to the bill, to which the Senate has agreed.

AMBROSE J. KENNEDY,
HERMAN P. EBERHARTER,
FRANCIS H. CASE,

Managers on the part of the House.

The conference report was agreed to, and a motion to reconsider was laid on the table.

REOPENING OF CERTAIN CASES IN COURT OF CLAIMS

Mr. TOWEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 9171) directing the Court of Claims to reopen certain cases and to correct the errors therein, if any, by additional judgments against the United States, with Senate amendments, and concur in the Senate amendments.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The Clerk read the Senate amendments, as follows:

On page 2, line 19, strike out the rate of 3 percent per annum and insert "proper rate."

Page 3, lines 15 and 16, strike out the words "3 percent" and insert "proper rate."

The amendments were agreed to, and a motion to reconsider was laid on the table.

OLYMPIC NATIONAL PARK

Mr. WALLGREN. Mr. Speaker; I ask unanimous consent for the present consideration of Senate Concurrent Resolution No. 42.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

The Clerk read as follows:

Concurrent Resolution 42

Resolved by the Senate (the House of Representatives concurring). That the Clerk of the House of Representatives be, and he is hereby, authorized and directed, in the enrollment of the bill (H. R. 10024) to establish the Olympic National Park, in the State of Washington, and for other purposes, to make the following corrections, namely:

In Senate amendment No. 3, as agreed to by the conferees, strike out the words "to be added to" appearing in the first proviso reading as follows: "Provided, That the total area to be added to the said park shall not exceed 898,292 acres;" and insert in lieu thereof the word "of", so that the first proviso shall read as follows: "Provided, That the total area of the said park shall not exceed 898,292 acres:"

The resolution was agreed to, and a motion to reconsider was laid on the table.

PERMISSION TO ADDRESS THE HOUSE

Mr. McGRANERY. Mr. Speaker, I ask unanimous consent to address the House for 2 minutes.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. McGRANERY. Mr. Speaker, as a member of the Committee on Banking and Currency which held hearings on proposed amendments to the United States Housing Act, I was considerably disturbed by several questions which were directed at Administrator Straus and which were intended to demonstrate that little work had been accomplished by the United States Housing Authority. I do not propose at this time to show how much the Authority has actually accomplished.

I merely want to point out that at a time when we are seeking as many ways as possible to accelerate the housing program, the conferees reported out the Senate amendments with one important amendment deleted. The omitted amendment would have authorized the United States Housing Authority to make loans equal to 100 percent of a project's cost, provided that not more than 90 percent of such bonds were held by the Authority at the time annual contributions were made.

This amendment differed from the present provisions of the law in that the local housing authorities are now required initially to raise 10 percent of the project's cost from sources other than the U. S. H. A., because the U. S. H. A. is limited to a 90-percent loan on projects in which it participates. In this connection, I want to say that there never was any doubt in my mind that this 10 percent could be raised by the local housing authorities through the sale to others of 10 percent of the bonds issued in connection with a project. As a member of the Banking and Currency Committee, I have attended the hearings on both the original Housing Act and the amendments, and I have found it to be the general consensus, with but a few dissents, that the local housing authorities would be permitted to raise their 10 percent in this manner. It seems clear from the testimony that this is the only feasible means for the local housing authorities to obtain this 10 percent. In providing first \$500,000,000, and now an additional \$300,000,000 for hous-

ing, we certainly do not intend, and never did intend, to bar this method of enabling the local housing authorities to raise their 10 percent of the project cost; otherwise there would be no practical purpose in this legislation.

The Senate 10-percent amendment was intended as an accelerator of the U. S. H. A. program. The testimony before the committee was clear. The Administrator pointed out that the necessity of having a local housing authority issue bonds to raise its 10-percent participation inevitably resulted in delays and difficulties because there were two bond purchasers involved. I mention these things now only because I think in all fairness we must recognize that we will have little cause to complain when next we examine the activities of the United States Housing Authority, if we find that the progress has not been as rapid as we anticipated.

The Administrator, Mr. Straus, deserves the commendation of the Congress for the splendid and capable handling of this most difficult problem. The U. S. H. A. under his leadership has made and is making a great contribution not only toward recovery but to the social uplift given many of our less fortunate citizens.

The conferees, in agreeing to several amendments, intended to accelerate the United States Housing Authority's program have done a good job. I supported their report hoping that the failure to agree on the Senate 10-percent amendment will not unduly retard the program of the U. S. H. A.

EXTENSION OF REMARKS

Mr. SUMNERS of Texas. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD by incorporating a brief report of the Committee on the Judiciary on the rules of civil procedure promulgated by the Supreme Court under authority of the act of 1934.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

TRANSPORTATION OF CERTAIN PERSONS IN INTERSTATE OR FOREIGN COMMERCE DURING LABOR CONTROVERSIES

Mr. RAMSAY. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2403) to prohibit the transportation of certain persons in interstate or foreign commerce during labor controversies, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

Mr. SNELL. Mr. Speaker, reserving the right to object, I think we had better have a little explanation of this bill.

Mr. RAMSAY. Mr. Speaker, this bill amends the present law in two slight particulars. First, it includes aiders and abettors, which were not included in the original bill and, secondly, the bill is amended so that it does not include common carriers. At the present time there is much confusion about the act. It was poorly drawn and this bill only rewrites the present act with those two features in it.

Mr. SNELL. What committee does this come from?

Mr. RAMSAY. The Judiciary Committee.

Mr. SNELL. It has the unanimous report of the Committee on the Judiciary?

Mr. RAMSAY. Very close if it was not. I would not want to say unanimous.

Mr. MICHENER. Is the real purpose of this to except common carriers?

Mr. RAMSAY. Yes; that is right.

Mr. MICHENER. As I understand the bill, it exempts from this law a common carrier?

Mr. RAMSAY. That is correct.

Mr. MICHENER. In other words, it liberalizes the law in the direction that we would be surprised to see the gentleman from West Virginia attempting to have it changed?

Mr. RAMSAY. I do not know that I attempted. It was voted in by the Judiciary Committee of the House.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act entitled "An act making it a felony to transport in interstate or foreign commerce persons to be employed to obstruct or interfere with the right of peaceful picketing during labor controversies," approved June 24, 1936, is amended to read as follows:

"That (a) it shall be unlawful to transport or cause to be transported in interstate or foreign commerce any person who is employed or is to be employed for the purpose of obstructing or interfering by force or threats with (1) peaceful picketing by employees during any labor controversy affecting wages, hours, or conditions of labor; or (2) the exercise by employees of any of the rights of self-organization, or collective bargaining, or other concerted activities for mutual aid or protection.

"(b) Any person who willfully violates or aids or abets any person in violating any provision of this act, and any person who is knowingly transported in or travels in interstate or foreign commerce for any of the purposes enumerated in this act, shall be deemed guilty of a felony, and shall, upon conviction thereof, be fined not more than \$5,000 or imprisoned not more than 2 years, or both."

With the following committee amendments:

Page 2, line 5, after the word "organization", insert the word "or", and after the word "bargaining" strike out the remainder of line 5 and all of line 6.

Page 2, line 13, after the word "or", strike out the word "both" and insert "both." (c) The provisions of this act shall not apply to common carriers."

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DAVID B. MONROE

Mr. BIERMANN. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 3517) for the relief of David B. Monroe.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That notwithstanding the provisions of section 1118 of the Revised Statutes, as amended, the Secretary of War is hereby authorized to reenlist in the United States Army David B. Monroe (Army serial No. 6799024), now a sergeant, Signal Corps, United States Army, upon the expiration of the present enlistment and upon the expiration of any future enlistment of said David B. Monroe.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TAXICABS IN THE DISTRICT OF COLUMBIA

The SPEAKER. The Chair desires to make an announcement with reference to a request sent to the House this morning by the Senate of the United States. The Clerk will report the order of the Senate of the United States.

The Clerk read as follows:

Ordered, That the Secretary be directed to request the House of Representatives to return to the Senate the engrossed bill (H. R. 7084) to provide that all cabs for hire in the District of Columbia be compelled to carry insurance for the protection of passengers, and for other purposes, together with all accompanying papers.

The SPEAKER. The Chair thinks it is proper to state that as a matter of comity between the two branches, when a request of this character comes over from the other body to this body, it is the duty of the House to comply with such order and it is under the precedents a matter of privilege.

Mr. O'MALLEY. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. O'MALLEY. What will be the status of the measure when it returns to the Senate?

The SPEAKER. The Chair cannot answer that question. We are simply returning the bill to the Senate.

Mr. O'MALLEY. It does not go to conference by reason of this order?

The SPEAKER. It does not. Without objection, the request of the Senate will be complied with.

There was no objection.

EXTENSION OF REMARKS

Mr. O'NEILL of New Jersey. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a letter from the president of the American Federation of Labor.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

Mr. O'CONNELL of Montana. Mr. Speaker, reserving the right to object, I want to know if there is any personal attack on me in this so-called insertion as there was in another insertion? I shall object if there is such an attack.

Mr. O'NEILL of New Jersey. This letter is from the president of the American Federation of Labor and there is no reference in it to the gentleman from Montana [Mr. O'CONNELL].

Mr. O'CONNELL of Montana. I think in the future, when the gentleman puts an insertion of remarks in the RECORD, if he attacks me, he ought to have the courage to do it on the floor and not put it in the way he did. It is cowardly, unethical, and yellow.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey [Mr. O'NEILL]?

There was no objection.

COMMUNICATION FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER. The Chair thinks it proper to lay before the House the following communication to the Speaker from the President of the United States:

JUNE 16, 1938.

MY DEAR MR. SPEAKER: In these closing hours of the 1938 session of the Seventy-fifth Congress I want to extend through you to the Members of the House of Representatives of the United States my sincere good wishes.

I am confident that the country joins with me in the belief that this session of the Congress has resulted in much constructive legislation for the benefit of the people. Definitely, we are making progress in meeting the many new problems which confront us.

With appreciation of all that you have done,
Faithfully yours,

FRANKLIN D. ROOSEVELT.

HON. WILLIAM B. BANKHEAD,
Speaker of the House of Representatives,
Washington, D. C.

PERMISSION TO ADDRESS THE HOUSE

Mr. LUCAS. Mr. Speaker, I ask unanimous consent to address the House for 6 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. LUCAS. Mr. Speaker, the Seventy-fifth Congress is rapidly coming to a close, and this day marks the close of a very unusual, interesting, and educational chapter in my life. I seize this opportunity of expressing a few farewell remarks to the Members of this House.

It was my good fortune to come to this legislative hall some 4 years ago, succeeding the late Henry T. Rainey, former beloved Speaker of the House, who died in the zenith of a brilliant legislative career after serving the people of the Twentieth Congressional District of the State of Illinois 32 successive years, save and except in 1920, when he went down to defeat in the Harding landslide. During the 4 years I have been a Member of this House I have attempted diligently to apply a conscience, my judgment, and my ability to the many vexing governmental problems which have appeared before the Members of this House from time to time. In debate, in conference, and in informal discussions the membership, irrespective of political affiliation, have exhibited to me a measure of gratitude and forbearance that I shall never forget.

Obviously there are many regrets as I leave the House on this day. However, I have an ambition to go into new and untried political fields, there to test fortune's smile and brave her frowns; but irrespective of what may happen to me in the future from the standpoint of politics, under whatever skies I may dwell or whatever soil over which my feet may tread,

I shall always cherish and remember the contacts, the associations, and the kindly feelings which have been exhibited to me by all Members of the House during my two terms.

Companionship, Mr. Speaker, is a human element which has existed among all races of people since the dawn of civilization, yet I dare say there is no group of individuals any place under the shining sun where there is a more genuine affection and feeling for one another than exists in the House of Representatives. This touch of fellowship is inherently American and exists in all great leaders whether they be in political life or on the outside and beyond the pale of politics. I am very proud and happy to have been in the Halls of Congress and to have served under that type of leadership. The late lamented Joe Byrns, of Tennessee, the brilliant and beloved Speaker of this House, the gentleman from Alabama, Mr. BANKHEAD [applause], the courteous and able floor leader, the gentleman from Texas, Mr. RAYBURN [applause], and the distinguished and fighting minority leader, the gentleman from New York, Mr. SNELL [applause] meet that test. We have not always agreed upon the method of approach in the solution of the tremendous economic problems which have been before the American people during the last few years, but I undertake to say there is not a single individual in the House of Representatives who does not believe and hope from the inmost recesses of his heart that this great country of ours is on the road to progress, and that the future of America will bring to all of her citizens progress, happiness, and contentment. That is the human type of leadership that has made America great. That is the type of leadership that has been the envy of all other nations on the globe during the 150 years of our existence.

While I know that economic storms are with us at the present time and know what strife and trouble are in this great Nation of ours, yet I undertake to say there are few citizens of the 130,000,000 Americans who would trade places at this particular point in their American life with any citizen living under another flag and under another sovereignty. [Applause.]

I have the utmost confidence in the future of this great Republic of ours. Just remember, my colleagues, that America is young, America is virile, America is courageous, and she always conquers when her cause is just. This great cause in which our beloved President of the United States, every Member of Congress, and the great mass of the people of America are fighting to conquer—the cause of humanity—is a just, a sacred, and a righteous cause, and America will make every sacrifice necessary ultimately to conquer in that cause.

In these closing hours, notwithstanding all the woe and the trouble which exist in this great land of ours, I lift my eyes to the heavens above and thank God I am an American; and my prayers and my hopes are that these United States of America shall continue down through the ages of time, living under the Constitution of the United States founded and created by the Federal Fathers, and protected not only by the Stars and Stripes which hangs in the heavenly breeze over this National Capitol, but by many other American factors, including a great and unusual destiny. [Applause.]

PAPERS OF CHARLES COTESWORTH PINCKNEY AND THOMAS PINCKNEY

Mr. CHAPMAN. Mr. Speaker, I ask unanimous consent for the present consideration of the bill S. 3699 authorizing the Library of Congress to acquire by purchase, or otherwise, the whole, or any part, of the papers of Charles Cotesworth Pinckney and Thomas Pinckney, including therewith a group of documents relating to the Constitutional Convention of 1787, now in the possession of Harry Stone, of New York City.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. SNELL. I object, Mr. Speaker.

Mr. CHAPMAN. Will the gentleman withhold his objection?

Mr. SNELL. No; not on that.

EXTENSION OF REMARKS

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the question of the administration costs of the United States Housing Administration.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. POLK. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including therein a copy of a telegram addressed to Pearl J. Tiveanan, president, Central Labor Union, Portsmouth, Ohio, by Hon. William Green, president of the American Federation of Labor.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. AMLIE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including a copy of a resolution adopted by the Anti-War Congress which recently met in this city.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. BERNARD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a statement by a United States veteran.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. CROWTHER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD at this point and include a short editorial from my home paper.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CROWTHER. Mr. Speaker, many reasons have been advanced for the depression which developed in September 1937 and has been rapidly growing more serious up to the present hour. Mr. Eccles, of the Federal Reserve Board, blamed it upon the payment of the bonus. The President's supporters charged that big business was "ganging up" against the administration. Enemies of labor tried to place the blame on their doorstep. Even the Supreme Court was held up to ridicule and criticism. Whether or not any or all these reasons can be substantiated is an open question.

The burden of proof is upon the administration. I believe that one of the outstanding reasons for the slowing up of industrial activity is the depressing effect of the trade treaties, signed and pending, upon thousands of American manufacturers. With 17 trade agreements entered into and the British Empire agreement pending, no manufacturer knows when his particular product will be put on the bargain counter of the State Department tagged with a reduced-tariff ticket.

That is just another of the weird methods used by this administration to inspire confidence in business. How far the President and Secretary of State Hull seem willing to go with this ridiculous policy can be estimated by the facts contained in the following editorial from the Leader-Republican, of Gloversville, N. Y. It appears that the campaign for increasing imports is to be carried on in the high schools of New York State through the aid of a Syllabus on Foreign Trade, prepared in Secretary of Commerce Roper's division by the United States Bureau of Foreign and Domestic Commerce.

Citizens of Johnstown and Gloversville who recently accepted a 10-percent wage reduction following the tariff reduction on leather and fabric gloves in the trade agreement with Czechoslovakia will probably not be overenthusiastic regarding this New Deal policy.

HOW NEW DEALISM HELPS AMERICAN LABOR

During the 5 long years of the Rooseveltian reign in Washington we have heard much about the administration's deep concern over American labor and American industry, accompanied by prodigious promises, particularly in election years when labor's votes are needed, of governmental aid in bringing a return of prosperity to American workers and their employers alike.

At the same time we have heard much about the administration's deep concern over trade relations with foreign countries and the Presidential hobby of spreading the "good neighbor" gospel through the establishment of trade treaties which are supposed to build up our export trade and prove a boon to all American manufacturers which, of course, means more work and a demand for more workers in our wide and varied fields of industry.

And now the Department of Commerce, headed by the President's right-hand man, Secretary Daniel C. Roper, has played its ace card by sponsoring a so-called Syllabus on Foreign Trade prepared by the United States Bureau of Foreign and Domestic Commerce to be used as a part of the curriculum in the high schools of New York. The magnitude of the potential value of this course of instruction as an upbuilder of American industry is found in this paragraph D, on page 1, of Suggestions to Teachers, which declares:

"All of us are attracted by new and novel things; also, we believe that imported goods are better than our own. This further encourages trade between nations."

Of all the amazing things that have come out of the New Deal cauldron, there has been nothing that can equal this. While thousands of real Americans are preaching the gospel of buying only merchandise bearing the label "Made in the U. S. A.," as are the glove manufacturers and glove makers of Fulton County, the New Deal begins a campaign to use our schools to teach young America that "imported goods are better than our own"; in other words, that the products of American workers in American factories are inferior to those produced in other countries.

We had hoped that the limit in idiotical proposals had been reached in Washington. But all hopes are shattered by this bombshell, which is nothing more nor less than outright disloyalty to American business and American workers. However, it proves our oft-repeated contentions of how deeply New Dealism is concerned in the welfare of American labor. Let this sink into your soul: "Buy foreign-made goods because they are better than ours."

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD at this point and include two letters from the Port of New York Authority regarding a syllabus, which has been used in the New York schools, which teaches the children that foreign trade is better than our own.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The matter referred to follows:

THE PORT OF NEW YORK AUTHORITY,
New York, June 14, 1938.

HON. EDITH NOURSE ROGERS,
House Office Building, Washington, D. C.

DEAR MRS. ROGERS: My attention has been drawn to a discussion in the CONGRESSIONAL RECORD of Tuesday, June 7, relative to a syllabus on foreign trade prepared by the New York National Foreign Trade Committee and the High School Principals' Association of New York City. In the course of the discussion you expressed an interest in the Port of New York Authority's connection with the syllabus, prompted by an acknowledgment printed on the cover by the authors to the Port Authority for certain data.

For your information, I am inclosing copy of a letter dated May 23, which I sent to Mr. F. X. A. Eble, managing director, Made in America Club, Inc., which is self-explanatory.

Very truly yours,

J. E. RAMSEY, General Manager.

MAY 23, 1938.

MR. F. X. A. EBLE,
Managing Director, Made-in-America Club, Inc.,
420 Lexington Avenue, New York, N. Y.

DEAR SIR: This is in reply to your letter of May 20 referring to a syllabus on foreign trade prepared by the New York National Foreign Trade Committee and the High School Principals' Association for use in the New York City schools.

The port authority's cooperation in this matter extended to furnishing factual material to the committee, at its request, the same courtesy that we would extend to any inquiry. The facts that we furnished pertained to the facilities, commerce, and shipping at the port of New York. The committee's reference to the cooperation of the port authority merely acknowledges this assistance.

We do not wish to enter into any controversy with you over the organization of the syllabus, since this is the responsibility of the National Foreign Trade Week Committee and the High School Principals' Association.

Very truly yours,

J. E. RAMSEY, General Manager.

COMMITTEE TO NOTIFY THE PRESIDENT

Mr. RAYBURN. Mr. Speaker, I offer a resolution which I send to the Clerk's desk.

The Clerk read as follows:

House Resolution 538

Resolved, That a committee of two Members be appointed by the House to join a similar committee appointed by the Senate to wait

upon the President of the United States and inform him that the two Houses have completed the business of the session and are ready to adjourn unless the President has some other communication to make to them.

The resolution was agreed to; and the Speaker appointed the gentleman from Texas [Mr. RAYBURN] and the gentleman from New York [Mr. SNELL] as members of the committee.

EXTENSION OF REMARKS

Mr. GEARHART. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the Record and include therein a short speech by Mr. Ferdinand Frazier of Washington, D. C.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. SCHNEIDER of Wisconsin. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record and include therein a short editorial from the Capital Times of Madison, Wis.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. CREAL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. DORSEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and include a radio address delivered by Governor Earle of Pennsylvania.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. BRADLEY. Mr. Speaker, I ask unanimous consent to extend my own remarks and include therein several letters from certain of my colleagues and an exchange of correspondence between Rabbi Stephen Wise and myself.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

PUMP PRIMING NO INNOVATION

Mr. DINGELL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record at this point and include therein a brief newspaper clipping.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. DINGELL. Mr. Speaker, the spending-lending program of the Roosevelt administration involving the amount of \$3,750,000,000, intended as a pump-priming aid toward recovery, has been attacked most energetically and I should say unfairly. It has been misrepresented and abused for the sake of partisan political advantage to such an extent that further silence on my part becomes an impossibility.

I want to cover in a short discourse some of the more flagrant charges made on the floor of the House and in the Republican newspapers which are intended to mislead the people to believe that pump priming and subsidies are revolutionary innovations of the Democratic Party and of the New Deal and that it is a dead irrecoverable loss. I want to call to the attention of my people the glaring oversight of the Republican partisans who charge that all moneys loaned for public improvements, homes, and farms are an obligation of the United States Government and a part of the national debt and then deliberately fail to offset these obligations with the billions in mortgages and other valuable securities which as collateral more than balance these loans and advances.

An unfair or blind partisan press working hand in hand with the Republican National Committee attempts to conceal or ignore the billions of dollars in collateral held as security for the repayment of obligations by such agencies as the Reconstruction Finance Corporation, the Public Works Administration, the Farm Loan Corporation, and the Home

Owners' Loan Corporation. These securities include home and farm mortgages, preferred bank and rail stocks, securities of insurance companies, revenue bonds, and tax anticipation warrants of sovereign States and municipalities, including revenue bonds issued by the State of Michigan and the city of Detroit.

Obviously for political reasons they point out the tremendous total responsibility assumed by the Federal Government and insist that the gross amount is the total debt. They fail to tell the people, however, that the assets held by some of the principal Government agencies mentioned here amount to billions of dollars which is deductible from the gross sum.

Home Owners' Loan Corporation:

Total loans to home owners.....	\$3,093,424,244
Of this amount actually repaid.....	400,000,000

Leaving unpaid secured loans amounting to.....	2,693,424,244
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NOTE.—The interest differential between 5 percent paid on loans and the average 2.6 percent paid out on bonds will carry the complete overhead on cost of the entire Corporation during its entire life.

Federal Farm Mortgage Corporation: Government guaranteed bonds secured by farm mortgages outstanding.....

1,409,865,900

Reconstruction Finance Corporation:

Authorized loans and investments.....	\$9,496,000,000
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Withdrawn after approval of the loan because money borrowed from other sources....	1,785,000,000
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Actual loans.....	6,977,600,000
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Amount repaid.....	5,104,500,000
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Amount to be repaid.....	1,873,100,000
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Plus profit put to surplus.....	190,000,000
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Public Works Administration:

Loans for permanent public improvements, including \$200,974,500.....	\$789,961,072
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Profit of the Treasury Department and revaluation of gold now being used as a stabilization fund.....	2,500,000,000
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Offset against the public debt amounting to.....	9,456,351,216
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The opposition would insult the public intelligence by a feigned belief and dissemination of false propaganda that pump priming is a new departure and that subsidies were never heard of during Republican administration. As a matter of record, the Harding, Coolidge, Hoover administrations primed the pumps of foreign governments and foreign industries through the medium of fake bonds which were sold with the approval of the Treasury Department, under Secretary Mellon, to the American people and which will never be redeemed in the stupendous amount of \$13,000,000,000. The railroads received a priming—not a loan but an outright gift—of \$600,000,000 under the Esch-Cummins law.

Industries received a gratuity as compensation for unfulfilled wartime contracts amounting to more than \$200,000,000.

Republican campaign contributors received tax refunds from their friend Mellon, for the most part unsolicited, to the tune of over \$2,000,000,000.

The only pump which the Republican administrations failed to prime and which was inexcusably left to this administration to pay, was the priming money for the soldiers' bonus, amounting to \$2,500,000,000. So determined were they to pass the buck and evade responsibility that Hoover actually called out the Army to "shoot hell out of the brazen veterans." The bonus payment is now a part of the national debt.

It is a most interesting calculation which discloses that the pump priming of the Roosevelt administration, not secured and irrecoverable, amounts to date to a far lesser sum than the nonrecoverable pump priming of the Republican administrations. The real difference between the two is in the fact that such amounts as are not recoverable under the Roosevelt plan were used for direct relief of the starving and needy or were outright grants in cash to relieve unemployment and for much-needed public improvements, such as schools, libraries, fire houses, hospitals, other utilitarian buildings,

roads, and dams, for the benefit of all the people. Secured loans in connection with these projects will be repaid with interest to the American people without the loss of one cent.

The pump-priming sum of nearly \$16,000,000,000 under the Republican administration was used for the benefit of the railroads, favored campaign contributors, and industrialists who made huge wartime profits, and for the pump priming of foreign governments and their industries whose bonds were sold to a gullible American public who cannot hope ever to get back one dime.

The Democrats expended the money for the benefit of millions of people—all our own people. The Republicans expended the money for the benefit of a few people and billions for the benefit of foreign governments, for their armaments and to build up competitive industries in foreign lands.

Bonds sold to save the millions of homes, farms, industries, banks, and insurance companies by the Roosevelt administration are as good as gold and will, just as sure as the sun rises and sets in the heavens, be repaid to the American bondholders; but the fake bonds sold to our people under the previous administrations are irretrievably lost. It is a subject for further discussion which I cannot cover at the present time, but the holding of these foreign, worthless, and defaulted bonds on the part of our banks was the real cause for the collapse of our banking structure and the cause of the Hoover depression.

While the practice of gratuitous tax refunds under Harding, Coolidge, and Hoover reached scandalous proportions, nothing could be done to stop the pernicious practice of pilfering the Public Treasury. The brazen attitude of Mr. Mellon had the approval of three Republican Presidents and of the Republican controlled Congress. Times have changed, however, and taxes levied by this administration are not only being collected fairly, equitably, and honestly, but are being retained and expended for the general welfare. More than that, reexamination of tax returns collected during the Republican administrations have yielded millions of additional revenue. Naturally there would be resentment toward an administration, the policy of which not only levies taxes upon those best able to pay them but in addition reexamines and collects back taxes which were either evaded or overlooked. Under such policy gratuitous and unsolicited refunds of tax moneys cannot be tolerated by the Democratic administration. As a matter of fact, they are so rare as to be almost unknown.

Since I have been obliged to refer to the Hoover depression, it may be proper to mention the recent recession referred to by the Republican partisans and their kept press as the Roosevelt depression, and analyze the reason for the phenomenon. There is nothing that the Roosevelt administration has done or said to bring about the temporary though serious economic set-back. Quite the contrary, the tragic decline was brought about in spite of the superhuman efforts of President Roosevelt and of the Democratic Congress to maintain the steady upward trend. The economic quake was brought about through the combined and premeditated efforts of calamity howlers and panic mongers who in their determination to destroy the Roosevelt administration almost destroyed themselves and the Nation. Their rebellion against the payment of just taxes and a concerted effort to shift the tax burden to the shoulders of those least able to bear them almost scuttled the ship of state. In their effort to retain within the coffers of their corporate treasuries excessive profits squeezed from the employees and the consuming public while denying at the same time the distribution of dividends rightfully belonging to the stockholders, this same element prostituted the free press to misrepresent the purposes and intent of the duly constituted government and thus to undermine the public confidence. In this they, to whom the President referred as copperheads, succeeded beyond their wildest dream and expectation, but at what cost to themselves, to their stockholders, and to the great mass of innocent suffering humanity. Traitors to the Nation which protects them, they must be proud of the suffering, the trail of broken hearts and suicides which their

damnable propaganda brought about. Let us see what the Commentator of the Detroit News has to say about taxes under date of May 31, 1938. It is well worth reading:

THE COMMENTATOR
(By W. K. Kelsey)

Corporation reports for the first quarter of 1938 have been discouraging. With few exceptions, they report net income less than that for the corresponding quarter of 1937; and in an extraordinary number of cases there was no net income at all, but a loss. It may be believed that business which is losing money is trying to cut expenses, and that these efforts will be revealed next March when individual income-tax statements show reduced salaries and wages. Which means that Uncle Sam's proceeds from corporate and individual income taxes next year will be far under the estimates of the Budget Director, made last January. Which, in turn, will mean a huge deficit, and another addition to the national debt—since the Government does not seem at all inclined to cut expenses proportionately to the reduction in contemplated revenue.

The peak year in income-tax collections in this country was that ending June 30, 1930, when Uncle Sam collected \$1,147,000,000 from corporations and \$1,263,000,000 from individuals. The stock-market slump had started, but business had not yet begun to feel its effects. Then the depression steadily deepened, until in the year ending June 30, 1933, corporations paid only \$352,574,000, and individuals only \$394,218,000. That is, 3 years after the peak they were paying in taxes less than one-third of what they had paid in the high-piping times of prosperity.

THE BRITISH SYSTEM

Turn now to Great Britain. That country also suffered depression and heavy unemployment. In the fiscal year ending March 31, 1930, the income-tax collections amounted to \$1,189,000,000. They increased the following year, and in the year after that reached the peak of \$1,442,000,000. Then the slump hit, and in the year ending March 31, 1934, Great Britain collected only \$1,143,000,000. But while, from peak to trough, American income collections fell 70 percent, British collections fell only 21 percent.

Why? There are several reasons.

One is that Great Britain raised the tax rate. In 1930 the basic tax was 20 percent; in 1932 it was 25 percent; it remained at that figure for 3 years. When recovery began to assert itself, the rate was dropped to 22½ percent, and at that figure it brought in a slightly larger revenue. In 1936-37 the rate was raised to 23½ percent, and it netted \$100,000,000 more. Last year it was boosted again to 25 percent, and it brought in an additional \$200,000,000. For the current year, Chancellor of the Exchequer Sir John Simon added another 2½ percent, and estimated that this will add \$105,000,000 to the receipts.

Yes; but we also hiked the income tax. In 1929 it was 1½ percent on the first \$4,000, 3 percent on the next \$4,000, then 5 percent, and the surtax began at \$10,000. In 1932 it was 4 percent on the first \$4,000, 8 percent on the rest, and the surtax began at \$6,000. In 1934 the surtax began after the first \$4,000, at 4 percent. In 1936 the surtax on the higher brackets was increased. Nevertheless, Uncle Sam collected in individual income taxes last year slightly less than he took in in 1929.

So let's look for other reasons.

MORE STABLE INCOMES

One is to be found in the fact that probably a much larger proportion of British incomes is derived from foreign investments, chiefly in bonds—a revenue which doesn't fluctuate much from year to year.

Another is that wages and salaries are much more stable in Great Britain than they are here. The pay goes to the position, rather than to the person who occupies it; and it remains much the same in prosperity and in depression, a sort of fixed charge on the business.

Still another (and it is important) is that although Great Britain has about one-third as many people as the United States, she has had, in recent years, twice as many individual income taxpayers. That is due to the fact that Great Britain begins the taxation of incomes at a lower level than we do.

The Englishman, single, with an income of \$2,000, paid last year \$162.50. If he was married and had no children, he paid \$62.50; if he had three children, nothing. The American, single, paid \$40 on \$2,000 income; if married, he paid nothing.

The comparable taxes on a \$5,000 salary were:

	British	American
Single.....	\$762.50	\$160
Married, no children.....	662.50	100
Married, one child.....	587.50	84
Married, three children.....	437.50	52

MORE BRITISH TAXPAYERS

In 1935-36 some 8,000,000 persons made tax returns in Great Britain; in the calendar year 1934, only 4,094,420 made returns in the United States. Exemptions cut down the number of actual income taxpayers in Great Britain to 3,350,000, compared with 1,795,000 in this country. Yet the British incomes of \$10,000 and more were only 45,113 in number, while in the United States there

were 131,823. Still Great Britain collected \$1,187,000,000, while the United States took in, in individual and corporation income taxes, only \$817,025,000.

The conclusion is irresistible that by taxing smaller incomes than we do, Great Britain not only takes in a larger revenue during times of slack business, but can also count on a more stable revenue.

ASSESSMENT AND PAYMENT

There are a few more differences.

In Great Britain the taxpayer doesn't figure his own tax. He is visited by an assessor, who wants to know how much he thinks he will make in the current year; and the assessor fixes the amount of tax. Then, although the year doesn't end until March 31, he has to pay his tax by the preceding January 1—that is, out of current earnings, not out of next year's earnings, as we do. If it turns out on March 31 that the Britisher didn't make the amount estimated, he can file a claim and argue for a rebate.

Business taxes are paid the same way, so that out of current revenues the businessman sets aside what he knows he will need for taxes. He doesn't have to worry for fear he will have no income next year out of which to pay last year's assessment.

Surtaxes, however, are billed separately and are not due until the following January 1. That fact, too, helps to even up the revenue, for the Government gets part of the current year's tax on January 1 and the rest the following January 1. Guessing the tax yield is thus by no means the gamble for the Chancellor of the Exchequer that it is for our Budget Director.

Some day Congress may take a look at the British system and begin to wonder if it wouldn't be advisable to take a few tips from it.

A most interesting statement of facts relating to taxes, worthy of reprinting, though colored by the injection of partisan editorial comment entwined with the subject as news matter, appears in the rock-ribbed and consistently one-sided Republican Detroit Free Press under date of April 27, 1938:

BRITAIN RAISES INCOME TAXES—LEVIES REACH A HIGH FOR 17 YEARS

LONDON, April 26.—Great Britain hiked her income tax to a staggering levy, averaging 27½ percent, today, to help balance a budget, swollen by armament costs, that is the biggest in peacetime history.

Vast, secret food purchases to feed Britain's people for the "early months" of a war were disclosed by Sir John Simon, Chancellor of the Exchequer, who announced to the House of Commons that the Government needed 944,389,000 pounds (\$4,721,990,000) for the year ending March 31, 1939.

The gap between arms expenses and expected income is to be filled by the 2½-percent income-tax increase, which won't hit the little fellow, and by tea and oil duty boost, which will.

EXPENSES TO INCREASE

Sir John warned that the peak year of defense expenditure would not be reached until next year, possibly the year after.

The income tax of five shillings sixpence to the pound (\$1.375 per \$5) becomes the highest in 17 years, since the 1921-22 peak of six shillings of the pound, or 30 percent.

Here is how a married man living with his wife and with one child fares under the new British income tax, under the old one and under the Federal income tax in the United States:

Salary	New tax	Old tax	United States tax
\$2,500.....	\$92.62	\$87.50	Nothing
\$3,000.....	200.62	177.50	Nothing
\$5,000.....	640.62	587.50	\$64.00
\$10,000.....	1,878.12	1,722.50	379.00
\$25,000.....	7,720.87	7,314.37	2,361.00

In the case of the British taxpayer no allowance for deductions is made on such items as insurance, servants, support of other relatives, and so forth.

BORROWING ALSO REQUIRED

The budget did not cover the whole of the huge arms bill, the 5-year cost of which originally was set at \$7,500,000,000, and later estimated unofficially at \$11,250,000,000. It provided for \$1,225,250,000 for armaments expenditures but left out an extra \$450,000,000 which is to be borrowed.

After a brief opposition attack, charging that the budget had not been balanced, Commons adopted resolutions implementing the tea, oil, and income-tax increases.

The tea-tax increase, from the present 4d. to 6d. (12 cents) a pound, which will hit nearly every home in the land, becomes effective tomorrow.

Gasoline, which now costs about 37 cents a gallon with a tax of 16 cents, will have a tax of 18 cents, effective tonight.

Two million small-income taxpayers were granted a concession. Everyone in the United Kingdom who earns \$750 a year or more pays income tax, but the rates will remain the same for single

persons making up to \$1,450 and married men with one child earning up to \$2,000.

The Government's food stock purchases—of wheat, sugar, and whale oil for margarine—were made secretly so as not to disturb the market, Sir John said.

There will always be some arguments, more or less partisan, to be sure, as to who is or was to blame for the recession. Let us see what the far-sighted business magazine *Fortune* has to say in the matter of placing the blame. I submit, Mr. Speaker, another clipping from the *Detroit News* under date of May 25, 1938:

PUTS BLAME ON BUSINESS—FORTUNE SCORES LACK OF SOCIAL VIEW-POINT

New York, May 25.—Only business is to blame for Government "interference" in its affairs, the business magazine *Fortune* said today in its June issue.

The magazine asserted that "in operating the capitalist economy American business has consistently misappropriated the principles of democracy."

"American business has made use of those principles to its own enormous profit," the magazine said, "but it has failed entirely to grasp the social implications of its profit making."

OBLIGATION OF BUSINESS

"As representing the capitalist economy, business has an obligation to build a workable economic system. But by 1932 it was evident that it had failed to do this. It had failed, and it has since failed, to provide approximately one-third of the American people with work, and hence failed to provide them with a livelihood, to say nothing of democratic opportunity."

"So business is confronted with a realistic political fact; namely, that a majority of the American people, with the penniless third as a nucleus, are beginning to measure the virtue of their Government mainly in terms of the guarantees it makes concerning their income."

"This bloc of citizens possesses more votes than any other single bloc, but excepting the far less solid South. These votes are economic votes—dollar votes. And business has delivered them into Government's hands."

Fortune asserted that the "failure of the marriage between the free capitalism and political democracy has not been a failure of the principle of private enterprise or the Democratic principle. These are still intact. What failed was the doctrine of laissez faire, which made the fundamental assumption that the economic system was not the concern of the Government."

The advance of industrialism made the laissez faire system less effective, according to *Fortune*, and today "the controls appear to operate sometimes in reverse."

SAVING THE SITUATION

"Today," the magazine said, "although there is scarcity on every hand, modern industry limits its production, and although the demand is slight, it raises or maintains boomtime prices. The results are half-speed operation and masses of unemployed."

If both democracy and private enterprise are to be preserved, *Fortune* concluded, "it is evident that private enterprise must admit into its affairs, as representative of the people, a Government profoundly concerned with the successful operation of the economic system."

"It should in the future be the object of business not to obstruct Government intervention at any cost," the magazine said, "but to see to it that the intervening Government is enlightened in economic matters. At this crucial point not only has business let the New Deal down, but the New Deal has let business down, and the result has been a number of profound economic errors."

"There are, of course, two alternatives. If the present system is allowed to work badly enough for long enough it is conceivable that the people, seizing the economic power, will rise up against the principle of capitalism and abolish it in favor of public ownership of all industry and finance. This would be a 'solution' along the lines of communism, effected at the expense of private enterprise."

"THE FASCIST WAY

"Or again, if the system is allowed to work badly enough for long enough, it is conceivable that the people will tire, not of capitalism, but of democracy itself, and will accept the leadership of some powerful person who, by controlling alike the industrial forces and the political forces, will be able to guarantee them a livelihood."

"This utter sacrifice of liberty for security would be a 'solution' along the lines of fascism."

"Between those two unpalatable extremes lies an American economy. It is not an economy that any single man, any bright economist, can now define. It is not an economy that can be found by good luck, or by a single victory at the polls. It can be established only by business working with government and government working with business, over a long period of years, toward a progressively higher standard of living derived from incentives of private enterprise."

"It is the only course open to business of government which does not lead inevitably into the fallacies of totalitarianism or

state collectivism. And if business and government cannot find it together, nobody else can."

Let us take a few moments to read an interesting clipping by that able, partisan, democratic director of publicity for the Democratic National Committee, Charles Michelson, which appeared in the Washington Star under date of June 19, 1938. It is another evidence of the "fairness" of our "nonpartisan" and "independent" and "free press."

DISPELLING THE FOG

(By Charles Michelson, director of publicity, Democratic National Committee)

Nowadays, when the newspapers of the country are full of political forecasts, straw votes, and real or invented surveys of the American trend of thought, it might be supposed that when an authority produces one of these estimates it would be prominently displayed.

Sad to say, the headlines and editorial comments in the anti-administration press appear to be confined to such forecasts as imply a recession from President Roosevelt's popularity and criticism of the New Deal measures.

The other day Fortune magazine, which can hardly be suspected either of great admiration for the President or a devotion to the emergency and reform measures that were the striking elements in the proceedings of the Seventy-fifth Congress, went into the survey business rather elaborately. The editors announced that their quarterly survey, to be published next month, indicates "that 54.7 percent of the population approve Mr. Roosevelt, while 34.4 percent disapprove, and 10.9 percent 'don't know.' The survey even indicates a possible majority disapproval of the phenomenon of a rebellious Congress; 47.2 percent think that Congress should work more closely with the President, while 40.6 percent prefer it to show an independent spirit, and 12.2 percent 'don't know.'"

Fortune is a big-business magazine. Suppose it had announced that its survey had shown an opposite trend of public sentiment. The anti-New Deal newspapers would have screamed the result in big headlines on every first page. As it was, the few of them that mentioned the conclusions of the Fortune poll printed just a little bit of it, very deep in the back of the paper. Most of the big newspapers ignored the whole account, although advance copies were furnished them by the magazine. One of the great metropolitan journals passed up Fortune's survey and the accompanying editorial, though it gave a long account of a sectional bankers' conference in Springfield, Ill., in which the New Deal was attacked.

Curiously enough, not one of the prominent newspaper columnists, who seize with avidity on anything that seems to throw doubt on the success of the New Deal measures and who see in everything evidences of revolt and disintegration in the Democratic Party, also paid any attention to the magazine's story or its editorial. They were too busy denouncing Relief Administrator Hopkins' statement that, were he a voter in Iowa, his native State, he would favor Representative WEARIN as against Senator GILLETTE, who won the senatorial nomination in the recent primary. They also had a great deal to say about the unimportance of the congratulatory telegrams received by Mr. GILLETTE from Cabinet officers and others as bearing on the question of whether the administration was mixing in local primary fights.

WHY THE STORY WAS NOT PUBLISHED

Of course, nobody can question the authority of the owner of a newspaper to print what he likes and omit what he likes, even if it does not seem quite square to his readers that they should not have all the news. You could hardly expect the New York Herald Tribune or the Chicago Tribune, for example, to republish such matter as this, even though uttered by the foremost business publication in the country: "At the moment it does not look as if the Republicans could win more than three or four new senatorships this fall, and even the most sanguine of John Hamilton's dopesters has not dared to claim more than 75 new seats in the House of Representatives. The Democrats will still have a heavy majority in both Houses of Congress. Moreover, the conservative Democrats will still be a minority in their own party." And it goes on to say: "And the chances that any important number of Mr. Roosevelt's men will be defeated in the primaries this year are very thin."

The text of the editorial that accompanied the article referred to might have come from a New Deal textbook instead of from the most luxurious of the publications devoted to the practical affairs of commerce and industry. The theme is the necessity of actual cooperation between business and government.

"Whether the present situation is permanent or temporary," says Fortune, "is beside the point. Every businessman who is not kidding himself knows that he does not know how to guarantee, without government intervention, the markets with which alone his free, competitive capitalism can function. Every businessman who is not kidding himself knows that, if left to its own devices, business would sooner or later run headlong into another 1930. And every businessman who is not kidding himself ought to know that as long as these things are so the electorate will force government into his affairs. It is neither possible nor desirable for a democratic government to sit by while a third of its citizens starve and almost as many more fear for their jobs."

WHEN IS NEWS NOT NEWS?

As a newspaperman it seems to me that such an opinion coming from such a source is news. It is news particularly because it departs from the impression which the administration's political foes have been so diligent in spreading—that all business regards the New Deal as a direct assault on American institutions and as indicating that the administration is an enemy to business. So also is news the concluding paragraph of that editorial, which runs this way:

"Between these two unpalatable extremes—communism and dictatorship—lies an American economy. It is not an economy that any single man, any bright economist, can now define. It is not an economy that can be found by good luck or by a single victory at the polls. On the contrary, it can be established only by business working with government, and government working with business over a long period of years toward a progressively higher standard of living derived from the incentive of private enterprise. It is the only course open to business or government that does not lead inevitably into the fallacies of totalitarianism and state collectivism. And if these two cannot find it together nobody else can."

Giving substance to the statement of Mr. Michelson is the letter received from Mr. C. B. Yorke, which follows:

FORTUNE,
New York, June 16, 1938.

The Honorable JOHN D. DINGELL,
18021 Woodingham Drive, Detroit, Mich.

HONORABLE SIR: Just exactly what occupational and income groups make up Mr. Roosevelt's present following, and just exactly which of his policies are approved and which are disapproved by each of these groups is revealed in the Fortune quarterly survey for July which will be published on June 23.

Under separate cover I am mailing you a complete copy of this survey, and I would like to call your attention particularly to the balance sheet of opinions. In these 12 tables and 12 charts you will find some 300 facts that will tell you almost everything you would like to know about public opinion on Mr. Roosevelt and his major policies.

This is the first time in American history that the popularity of a President and his policies has been broken down into its component parts by scientific sampling of public opinion.

Briefly, this Fortune quarterly survey shows:

A clear majority approves of Mr. Roosevelt and his objectives—but disapproves of his methods and his advisers.

Mr. Roosevelt's still tremendous majority is due entirely to his overwhelming popularity among the poor and the Negroes.

Mr. Roosevelt no longer has a majority in the Northeast and the Northwest Plains, which have a total of 191 votes in the electoral college, and his majority has declined in the Middle West.

The two Roosevelt policies which command the strongest popular support are his rearmament and international policies—without exception every group favors these.

It is interesting to note that for 3 years the Fortune survey has mirrored the unequivocal popular approval of the New Deal's main objectives. But as far back as April 1936, it discovered and declared that "there is political dynamite in appealing to the Nation to curtail the powers of the (Supreme) Court."

And this month's survey again reveals the deep-seated American opposition to any change in the balance of power between the three branches of the Government. I think you will want to study the evidence presented by this survey much more thoroughly than I have been able to present it in this letter.

This survey will be published in the July issue of Fortune on June 23 and I would appreciate your holding it in confidence until then.

Sincerely,

C. B. YORKE.

In conclusion, Mr. Speaker, let me state that I believe the Nation is headed definitely in the direction of unprecedented prosperity and happiness.

The present recession, temporarily interrupting the consistent upward trend begun in 1933, should convince all American citizens that it is dangerous and damaging to tamper with and to undermine the public confidence for partisan political advantage. Let us altogether resolve to swat the panic monger and the calamity howler. He is a slacker in this economic war; he is a traitor to the Nation, and should be treated accordingly.

The people of the United States, grateful for an honest administration, will sustain the hand of our great President and will return men to Congress who will work with him for the good of all.

EXTENSION OF REMARKS

Mr. DIXON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein two short letters from my colleagues.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. KELLER. Mr. Speaker, I would like to inquire what are the rights of Members as to the placing in the RECORD of their communications or speeches during the next few days and how long will any such right exist?

The SPEAKER. The gentleman from Illinois propounds an inquiry as to how late Members will have the privilege of presenting their remarks to be included in the RECORD. The Chair has been advised that the CONGRESSIONAL RECORD tomorrow will contain a statement of the date upon which the last issue of the RECORD will be issued, and Members will have until that time to offer extensions of their own remarks.

Mr. O'CONNOR of New York. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. O'CONNOR of New York. Is not that usually about 10 days?

The SPEAKER. It is.

Mr. KELLER. I ask unanimous consent that I be permitted at its proper place to answer the remarks made by the gentleman from New York [Mr. TABER] in relation to the autogiro.

The SPEAKER. Is there objection?

There was no objection.

THE WORK OF CONGRESS

Mr. KNUTSON. Mr. Speaker, I ask unanimous consent to proceed for 3 minutes.

The SPEAKER. Is there objection?

There was no objection.

Mr. KNUTSON. Mr. Speaker, it is evident from the resolution that has just been adopted to appoint a committee to wait upon the President to inform him that the two Houses of Congress are ready to adjourn that we are about to bring our deliberations to a close without having done anything during the past 8 months that we have been in session to relieve unemployment, to liberalize our treatment of the aged, or to make some provision for the railroads. We met in the middle of November and have been in constant session since that time, but nothing has been done for their relief. Here we have the railroads hanging on, all but bankrupt, an industry that employs over a million and in normal times employs 2,000,000 people, and we are going to adjourn without doing anything for them. You New Dealers want to adjourn without amending the Social Security Act and without an attempt being made to make suitable provision for the aged.

Mr. O'TOOLE. Mr. Speaker, will the gentleman yield?

Mr. KNUTSON. Yes.

Mr. O'TOOLE. Will the gentleman kindly inform the House just what his contribution has been to offset these things?

Mr. KNUTSON. Mr. Speaker, let me say to the gentleman from New York, who, I understand, is a big importer of foreign pork, that I belong to the minority. You gentlemen on the other side of the aisle outvote us 4 to 1, hence we are powerless to stop your mad raids. The responsibility for not having done anything for the unemployed, for the railroads, and for the old people of the country rests upon you alone.

Mr. O'TOOLE. Mr. Speaker, will the gentleman yield?

Mr. KNUTSON. I do not have time to yield further. Over a year ago the Republican members of the Ways and Means Committee, on a motion made by the gentleman from Massachusetts [Mr. TREADWAY], voted to hold hearings on H. R. 4199, the general welfare bill, and all other measures that had been introduced to help the aged, but because the President was opposed to this being done you unanimously voted against all efforts on our part to liberalize the present law. Mr. TREADWAY's motion was voted down by a straight party vote—the Republicans voting to hold hearings, the Democrats voting against holding hearings on these measures. The responsibility is yours. We Republicans did all we could, but

were outvoted 2½ to 1. Now you folks want to adjourn. What are you going to say to the voters when you get back home? All you have done this winter is to spend money, and more money. You have not done a thing for the aged, the unemployed, or the railroads. What a miserable record. If you want to go before the people on that record, well and good.

Only on yesterday the President vetoed the bill passed by Congress to continue the lowered interest rates on farm loans because it would cost the Treasury a little over \$200,000,000, but I have not heard him say a word against the useless spending of hundreds of millions for projects that will help none but land speculators. I am glad that we were able to override the President's veto so our farmers will continue to get their money at the present rate. That is about all you have done for the "underprivileged."

The SPEAKER. The time of the gentleman from Minnesota has expired.

COPY OF THE BOOK PROSPERITY THROUGH EMPLOYMENT

Mr. KELLER. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. KELLER. Mr. Speaker, it is needless to say that the gentleman who has just spoken has been asleep for 8 months and is not aware of the fact that the Democratic Party is the party which gave this country its first old-age pension law. The gentleman ought at least to wake up to that fact. But I have not risen to answer what the gentleman from Minnesota [Mr. KNUTSON] might have said, but to suggest that a number of my colleagues have expressed a desire to read the book *Prosperity Through Employment*, by KENT E. KELLER. A number of these books have been given to my colleagues with genuine pleasure. To those other colleagues who may desire it, I shall be glad to furnish a copy with my compliments. I would offer to send it to all, but I do not want to put anything into your hands unless you want it. Therefore I suggest that those who desire a copy shall drop me a note saying as much, and I shall be delighted to deliver it to them.

EXTENSION OF REMARKS

Mr. MOSER of Pennsylvania. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

THE SEVENTY-FIFTH CONGRESS

Mr. PHILLIPS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

CALL UPON YOUR CONGRESSMAN

Mr. PHILLIPS. Mr. Speaker, under leave to extend my remarks in the RECORD I append an effusion which I have affectionately dedicated to the Seventy-fifth Congress:

If you're needing drought or rain,
Call upon your Congressman!
If your pay check doesn't come,
Find a pad of paper, home,
And without a thought or plan,
Write it to your Congressman!

If your gal's another man's,
Hurry to your Congressman!
If your children run away
With the circus for a day,
Don't repine—or give a damn—
Write it to your Congressman!

If your baby's late again,
Call upon your Congressman!
If you want the latest news
About airships, shoes, or booze,
Telephone or telegram
To your patient Congressman!

If your clock or cow "don't" work,
Call your district's statesman-clerk;
If you've lost a sheep or hog,
If your newest hunting dog
Bites your latest hired man—
Quickly write your Congressman!

L'ENVOI

We are leaving, we are leaving
For the spot we call our home
Again to see our loved ones
In the places whence we come.
We've really tried to help them,
No matter what they say,
And keep the flag a-flying
O'er the good old U. S. A.
Here's a greeting and a parting
As we separate today—
We will know each other better
When * the mists have rolled away!

*(After the first Tuesday after the first Monday in November.)

EXTENSION OF REMARKS

Mr. LORD. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein a short editorial.

The SPEAKER. Without objection it is so ordered.

PERMISSION TO ADDRESS THE HOUSE

The Chair recognizes the gentleman from Pennsylvania [Mr. DUNN] for 1 minute, without objection.

There was no objection.

Mr. DUNN. Mr. Speaker, I disagree with those who maintain that this Congress has not done anything in the last 8 months. Had this Congress passed only the wage and hour bill, this bill alone, in my opinion, would have been a wonderful accomplishment. The passage of this measure is a tremendous step forward. I commend the Republicans as well as all the Democrats, Farmer-Laborites, and Progressives for bringing about this humanitarian legislation. [Applause.]

EXTENSION OF REMARKS

Mr. WALLGREN. Mr. Speaker, I ask unanimous consent to extend my remarks and to include a short editorial from the Seattle Star on the subject of the Swedish Tercentenary Celebration.

The SPEAKER. Without objection it is so ordered.

There was no objection.

LEST WE FORGET

Mr. MOTT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection it is so ordered.

Mr. MOTT. Mr. Speaker, a few moments ago the gentleman from California [Mr. SCOTT], in the course of the debate upon the reenlistment pay amendment, observed that the persistent withholding of reenlistment pay to our soldiers, who are clearly entitled to it under the plain provisions of existing law, was the last vestige that remained of the Economy Act.

This recalls to my mind, Mr. Speaker, that the Seventy-fifth Congress, which will adjourn sine die within a few minutes, is adjourning upon the fifth anniversary of the adjournment of the first session of the Seventy-third Congress. The adjournment of that session occurred 5 years ago today at 1:25 o'clock in the morning. It was that session which witnessed the enactment of the economy bill which, while it was in force, brought so much distress and injustice and tragedy to the disabled veterans of our country. It was the following session which witnessed the beginning of the repeal of that act by a much disillusioned and repentant Congress. Subsequent sessions have completed its repeal.

During the past 5 years it has been my privilege to have had a part in most of the important debates connected with the legislation which brought about repeal of the Economy Act. Those debates tell the story of how and why the disabled veteran was disinherited by the Congress and how and why he was restored by the Congress to his rightful status. It may be well worth while for us and for all veterans on this occasion to review the fateful events of that session which adjourned 5 years ago today, and to remind ourselves again of their significance—lest we forget.

I ask unanimous consent, Mr. Speaker, to extend my remarks by including therein excerpts from some of the

speeches I have been privileged to make in the debates on this legislation.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The matter referred to is as follows:

THE ECONOMY BILL—THE CONGRESS SURRENDERS ITS JURISDICTION OVER THE DISABLED VETERANS

Thursday, March 16, 1933

The House had under consideration the report of the committee of conference on the Senate amendments to the bill H. R. 2820, entitled "An act to maintain the credit of the United States Government"

Mr. MOTT. Mr. Speaker, I oppose this legislation now just as I opposed it when it came into the House last week. I voted against it then. If I had an opportunity to vote against it now, even with the Senate amendments, I would do so again. Unfortunately, we have no such opportunity. The only question which is now presented or which will be presented to the House, so far as this bill is concerned, is the question of concurrence in the Senate amendments.

Mr. Speaker, the people of the country even yet have little conception of what the Congress did when it passed this bill. The people fondly believe that the bill is what its title says it is—an act to maintain the credit of the United States. They refer to it by its short title and call it the economy bill. They have had no opportunity to read it. All they know about it is what they have learned from the propaganda which accompanied the bill into the House and which has never left it. They do not know, for example, that it passed this body on a wave of admitted hysteria; that it was not referred to any standing committee of this House; that no hearing of any kind was held upon it; and that it came in under a gag rule which prohibited any amendment and which limited debate to 2 hours.

Never before in the history of this body have the people affected by important legislation received such scant consideration at the hands of Congress. Never before have those opposed to legislation of this scope and magnitude been denied at least a reasonable opportunity to express their views. Never before has this parliamentary body been directed by the Executive immediately and without consideration to do a thing which no Member of it had ever before even contemplated doing.

The deliberate, insidious propaganda to which I have referred has made the people think that Congress, at the behest of the President, has passed legislation cutting down compensation to veterans who may not reasonably be entitled to it. They believe Congress at the most has broadened the Executive power so that, like a judge in equity, the President may dispense justice and correct evils in those particular cases wherein the law by reason of its inflexibility is inadequate. I know that is the belief of many of the people I represent, because it is the opinion clearly expressed in the multitude of letters and telegrams I have received from them.

But what, in fact, are the provisions of this bill which the House has passed within the space of 48 hours from the time it first received the President's message on the subject? What are the provisions of the law set forth under the bold title "An act to maintain the credit of the United States"? What is actually provided in this legislation which has been blazoned forth in every newspaper in the country as the Economy Act? In the first place, it provides that in a single enormous step and by a single roll call every piece of veteran legislation that has been enacted by the Congress of the United States since the close of the World War shall be repealed—not amended or changed or corrected, but repealed. Under the specific terms of the bill not a single shred of the veteran legislation, which it has taken 14 years to build, remains. Every statutory right of compensation given to any disabled veteran of the World War is taken away. There is no exception. So far as the disabled is concerned, this bill, as it was originally passed by the House, makes but one concession, and that a qualified one. It provides that if a veteran is now disabled as a result of injury or aggravation of injury incurred in line of duty, he may be paid a pension. Mark that word "may." Not even the permanently and totally disabled veteran suffering after 14 years from a battle wound is guaranteed a pension by this bill. It provides only that such a veteran may be given a pension in the discretion of the President.

The pension in such a case may be given or withheld, just as the Executive chooses, and in case he does choose to grant it, then such a disabled veteran, under the terms of this bill, may be given a pension of as little as \$6 per month. As to every other class of disabled veteran this measure, as the House passed it, denied to them the right even to have a claim for pension considered. It put them without the pale even of Executive mercy. Among the veteran outcasts created by this bill, veterans who are admittedly disabled, are the poor, the helpless, the jobless, and the starving. They are to be turned back to private charity or to the charity of the municipalities, the counties, and the States, that are now staggering under a burden of debt and poverty compared to which, and in proportion to its resources, the lot of the Federal Government is light indeed.

I repeat, Mr. Speaker, let no one misapprehend either the purpose or the scope of this bill. By it we are amending no existing veteran legislation. We are correcting none of the particular evils which have been the subject of criticism either in the law itself or in its administration by the Veterans' Bureau. We are making

no specific reductions in compensation or pensions paid to any disabled veteran of the World War. We are not attempting any specific economies in the administration of the Veterans' Bureau. We are not eliminating any of the useless personnel of that Bureau. By this bill we are simply repealing all World War veteran legislation and are surrendering all jurisdiction, legislative and otherwise, over the 4,000,000 men who offered their bodies as breastworks to the Nation in the hour of that Nation's greatest need.

And this brings me to the second ground of my objection to this bill, which from the viewpoint of government, at least, is the most serious objection of all. Where, I ask, is the emergency which demands that in peacetime the legislative branch of our Government should abdicate all of its constitutional authority in this regard? Do gentlemen seriously contend that the Congress is either unwilling or unable to effect by legislation whatever economies the exigencies of the situation may demand? That assertion has been made here. But the very fact that the House has passed this bill, which gives to the executive branch of the Government the power and authority to effect such alleged economy by cutting pensions and compensation without limit and even to deny the right of compensation or pensions altogether, gives the lie to any such contention.

The Members of this body are just as anxious to effect economies and to cure whatever evils there may be in existing veterans' laws as the President is. Let the President say what economies he wants. Let him name the evils and abuses he wants corrected. I will go as far as the President desires to go in correcting any abuses, faults, or inequalities in the matter of the payment of compensation to veterans, if he will tell me what they are. But, as a Member of the legislative branch of our Government, charged by the Constitution with both the duty and the responsibility of helping to make its laws, I demand to know what reductions, what curtailments, and what specific economies he desires; and then I demand that those economies and reductions, whatever they are, shall be effected by legislative enactment and not by an order or proclamation either of the Chief Executive or of any subordinate to whom, under the provisions of this bill, he may delegate his power. I am willing to give him any law which is necessary to enable him, as the head of the executive branch of the Government, to meet any real emergency. I am willing to give him whatever Executive power may be necessary to enable him to enforce and administer that law. But, as a Member of Congress, I am not willing to surrender to him the right or the power to make law, either on this or any other subject. That is the right and the duty imposed by the fundamental law of the land upon the Congress, not upon the President. To contend that the Congress, composed, as this one is, of men whose desire is to cooperate with the President, is not capable of effecting legislation to meet this emergency without abdicating all its legislative jurisdiction over veterans is to admit that parliamentary government in America has failed.

Mr. Speaker, I see in the enactment of this law the distinct indication of a first step toward Executive dictatorship. It is entirely possible that the people may never regain the power they have this day surrendered. Under the sweeping provisions of this law it would require, in event of the Presidential veto, a two-thirds vote of both the House and the Senate not only to repeal this grant of power itself but to repeal even an order or a regulation made by the Chief Executive in regard to a disabled veteran.

The iniquity and the inhumanity of this law is almost beyond my comprehension. It makes a violation of an executive or bureaucratic regulation punishable by fine or imprisonment. To the veteran whose claim is disallowed by a bureau chief it denies even the right of appeal to the courts of the country for whose safety and welfare that veteran has offered his life. By this act the power of the people to deal justly or even humanely with the sick, the injured, and the helpless among the 4,000,000 of their defenders of a decade ago is gone. By it the future and the destiny of these same millions have been entrusted to a bureau created years ago by Congress to administer the acts of Congress, but which, under the provisions of this law, is no longer responsible, either to Congress or to the people.

And for what, pray, has the Congress done this thing? For the purpose of saving to the Federal income-tax payers a sum not exceeding \$200,000,000 per year? Oh, I am well aware that propaganda has gone out to that effect, but that was propaganda only.

Mr. Speaker, this immediate annual saving to the Federal income-tax payer is only a part of the reason for this law. It is but the shadow cast before the real substance and the purpose of the law. If it were a matter merely of saving \$200,000,000 per year to income-tax payers, that could easily be brought about by eliminating the useless activities of useless bureaus, which have become the scandal of the country. But the real forces behind this revolutionary act have made no such demand for economy. They have not considered that such a step was necessary in order to maintain the credit of the Government. That, I say, is not their purpose here. The comparatively few comprising the very wealthy and the prosperous of the country realize two great facts. They know that the Federal income-tax law, out of which practically all of the expenditures for payment of veterans' pensions and compensation must come, will never be repealed.

They know that if in the future the disabled, the aged, and the indigent veteran is to be cared for, that the cost of that care will necessarily have to be borne by them. They know also that it has been the historic policy of this Nation, from

the American Revolution down to and including the Spanish-American War, to pay to those of its citizens who have borne the battle a reasonable compensation to help to maintain them in the twilight and evening of their lives. They know that, just as in the case of the Civil War veteran, a grateful people will not deny this aid to the Nation's defenders when they are in need of it, if the people have power to give that aid. They know that if the people, through their elected Representatives in the Congress still maintain the power to give it they will not deny it to the old and needy and the deserving veteran. To do so would be unthinkable and repugnant to the whole history and tradition and desire of our people.

It is for this reason that a small, selfish, highly organized group of those who under the present law must bear the burden, have struck now, upon the flood tide of the most vicious and successful campaign of propaganda that has ever been waged in this country, at the very foundations of representative Government. It is for this reason that, taking full advantage of the flame of hysteria and despair that has swept the country since the 4th of March, they have persuaded Congress, under a demand from the President, to abdicate its legislative jurisdiction over the veteran; to make a wholesale repeal of its pension law; to deny by statute the right of compensation to any veteran at any time in the future, and to make the veteran's right to compensation or pension dependent entirely upon the will of the Executive. This law so long as it stands forecloses even the bare right of Congress to legislate upon this subject.

Mr. Speaker, the business of this day will return to plague the Congress and the President as well. An act so inherently and so fundamentally wrong cannot endure the awakened conscience of the people when they realize, as at last they must, what they have done. Already the whirlwind of hysteria which made possible the enactment of this law is passing. Already regrets are heard from those who have thought it incumbent upon them to support this bill. I hope and I believe that in the not distant future the country will be ready to stand behind us in an effort to undo this wrong; to bring back at least within the scope of legislative jurisdiction the veterans who have this day been disinherited by their Congress and to again restore constitutional and parliamentary government to the United States.

Thursday, March 1, 1934

The bill H. R. 6663, the independent offices appropriation bill, was messaged from the Senate with sundry amendments relative to veterans' disability compensation and pensions, and the Speaker announced the same had been referred to the Committee on Appropriations.

THE HOUSE FIGHT FOR THE REPEAL OF THE ECONOMY ACT BEGINS

Mr. MOTT. Mr. Chairman, I want to take this opportunity to make some observations on the amazing procedure that transpired in this House a few minutes ago. I mean the reference to the Appropriations Committee of the Senate veteran amendments to the independent offices supply bill. I wish first to comment very briefly upon what I conceive to be the issue raised by the Senate amendments to this bill, which was reported in the House today, and then I want to voice my most emphatic protest against the manner in which the issue raised by the Senate amendments has been disposed of by the Speaker of the House.

The Senate on Monday and Tuesday adopted a series of amendments to the independent offices supply bill. Those amendments in the aggregate, as every gentleman here is aware, take the cruelty and injustice out of the Economy Act insofar as the service-connected disabled veterans of the World War are concerned. Those Senate amendments, if concurred in by the House, will not only effectively repeal the provisions of the Economy Act as to service-connected disabled World War veterans, but they will reinstate the pension status of the Spanish War veterans and restore their pensions to the extent of 90 percent of the amount they received prior to the passage of the Economy Act.

There is an issue that is fairly and squarely drawn, that is unambiguous, and that is understood by everybody. That issue should have been decided here upon the floor of this House, and by the membership of the House, which is the only legislative agency that has any moral right to decide it. It should have been decided in the usual, orderly, and customary manner, by a motion to concur in the Senate amendments, or by sending them to a conference.

THE MAJORITY LEADERS ATTEMPT TO PREVENT A VOTE

Instead of that what happened? That little group of Members who comprise the entire Democratic leadership, I dare say not more than a dozen men altogether, decided last night that the 435 Members of the House of Representatives should not be permitted to vote upon concurrence in the Senate amendments and that they should not be permitted even to send the amendments to conference. They decided this secretly, without a caucus, and without consulting, even informally, the rank and file of their own party membership.

In order to prevent a vote on the Senate amendments they resurrected an ancient rule which, I understand, has not been used for more than 20 years—a rule which permits the Speaker to refer Senate amendments to a House bill to a standing committee of the House. The oldest Member here cannot remember when that forgotten rule has ever been used before. But the Speaker used it—

used it to throttle the House on an issue that was directly before the House for decision, an issue that everyone was ready to vote on and expected to vote on. And mark this, no one knew that he was to be denied that right. None knew that secretly he had already been denied that right until it was actually announced from the Speaker's chair a few minutes ago that the issue had been settled and that the Senate amendments had been referred, without leave of anyone, to the Committee on Appropriations.

THE VETERAN ISSUE

And what was the issue that the Members of this House have thus been denied the right even to consider? It involves no less a thing than the welfare and the destiny of every disabled World War veteran and every Spanish-American war veteran.

You are all familiar, I know, with these Senate amendments. I am going to discuss them briefly, not so much for the purpose of informing you of their provisions but for the purpose of showing you the clear issue that it was the duty and responsibility of this House to face and decide and the issue which the majority leadership of this House has disposed of without giving the membership of this House any opportunity to meet.

So far as the Spanish-American War veterans are concerned, the Senate amendments to the House bill reinstate the pension status of these veterans; the amendments put them back in the precise position they occupied under the law as it existed prior to the passage of the Economy Act, and restored their pensions to the extent of 90 percent of what they had been receiving prior to March 20, 1933. I ask whether any issue can be clearer than that, and whether the House is not competent to decide it on the usual motion to concur?

As to veterans actually disabled in line of duty in the World War, the Senate amendments restore that class of disabled veterans to their full rights as they existed prior to the passage of the Economy Act. As to the so-called "presumptive" cases, the Senate amendments put them back upon the statute books and reinstate their right to compensation in those cases, and those only, where the service connection of their disability had been already established by law prior to the passage of the Economy Act.

There are some other minor amendments, but in the main the amendments are just as I have stated them to you. Every actual abuse that has ever been complained of in the original veterans' laws has been eliminated by these amendments. Every sensible, legitimate objection has been removed.

There was an issue clearly drawn, and which this House had a right to decide for itself, instead of having the amendments referred to the Committee on Appropriations. For what purpose were they referred to that committee without the consent of the House? For the purpose of killing them, or mutilating them, or both? So far as I am concerned I am satisfied that was exactly the purpose of this reference, and I shall never be of any different opinion until the Appropriations Committee, within a reasonably speedy time, reports those amendments back to this House just as it received them.

I have said that everybody in this House is prepared to meet the issue of restoring compensation to service-connected disabled veterans and Spanish War veterans, and prepared to meet it fairly and squarely. To those of us who voted against the Economy Act last March, the issue presents nothing new, nothing that we have not hoped for and worked for ever since that time. To those of you who voted for it, believing that the passage of the Economy Act was right, the Senate amendments present nothing new. You are certainly qualified to vote now, and do it honestly. There is another group of Members in this House in addition to the two groups I have mentioned.

The CHAIRMAN. The time of the gentleman from Oregon has expired.

Mr. SINCLAIR. Mr. Chairman, I yield 2 additional minutes to the gentleman from Oregon.

Mr. MOTT. In regard to this last group of Members, almost every one of them has already gone on record publicly since last March, both in this Chamber and outside of it, as saying that he voted for the Economy Act under a misapprehension, or that he voted for the Economy Act believing in the representations made by the President that he would administer it justly and humanely, or that he voted upon it too hastily. Almost without exception this large group of Members have publicly expressed their desire to be given an opportunity to correct the great wrong that they did to the veterans by voting for the Economy Act. They have declared they wanted to restore compensation to the war-disabled veterans and to the Spanish War veterans. I say they have been denied this chance by the Democratic leadership of this House; I say that action in this regard was deliberate and that it was shot through and through with politics. I believe it was taken for the purpose of preventing the Membership of this House from doing what a majority of the Membership has pledged itself to do. I believe further that it was taken to prevent embarrassment to the President in the matter of deciding whether or not he should veto the bill carrying the Senate amendments if they were concurred in by the House.

THE REMEDY

There is a remedy, however. The four-point Legion bill has already been introduced in the House. It has been here nearly a month, yet we have had no action whatever from the committee. We can correct the wrong that has been done the veteran today by immediately circulating a petition to discharge the committee from the consideration of that bill and then bring the original

four-point bill out on the floor of the House as quickly as it can be done and decide it upon its merits. We should also discharge the committee and bring out upon the floor the Spanish War veterans' pension bill. If this is done, the House yet has an opportunity of meeting its responsibility. If these bills should reach the floor at this session, I am satisfied there is no doubt as to what action the House will take in the matter of restoring compensation to World War veterans having service-connected disabilities, as well as restoring the pensions to the veterans of the Spanish War. [Applause.]

[Here the gavel fell.]

Friday, March 2, 1934

THE MOTION TO DISCHARGE THE COMMITTEE

Mr. MOTT. Mr. Speaker, I ask unanimous consent to address the House for 2 minutes, to make an announcement.

The SPEAKER. Is there objection?

There was no objection.

Mr. MOTT. Mr. Speaker, I desire to announce that I have filed with the Clerk a petition to discharge the Committee on Veterans' Legislation from consideration of the American Legion's four-point bill, H. R. 7151.

I have also filed with the Clerk a petition to discharge the committee from consideration of H. R. 6548, a bill to reinstate the pension status of the Spanish-American War veterans, and to restore those pensions. Both of these bills have been in committee more than 30 days and no action whatever has been taken on either of them.

I have done this on account of the peculiar and unusual action taken yesterday in the reference of the Senate amendments to the independent offices supply bill to the Appropriations Committee, instead of giving the House an opportunity to vote directly on the Senate amendments, either by way of a motion to concur or by reference to a conference. So far as veteran legislation is concerned H. R. 7151 and 6584 cover the same subject as the Senate amendments which were referred to the Appropriations Committee.

Mr. BYRNS. Will the gentleman yield?

Mr. MOTT. I yield to the able leader of the majority.

Mr. BYRNS. There is nothing peculiar or unusual in the reference of the bill to the Appropriations Committee. It may be unusual insofar as the actual practice is concerned, but the rule specifically provides for the bill to be referred to the committee as it was referred under the general rules of the House.

The gentleman implies that it was done for the purpose of depriving Members of the House from voting on the several amendments. The Members will have full opportunity when the bill is reported back to the House to vote on every amendment.

Mr. MOTT. The distinguished gentleman from Tennessee is entitled to his opinion. My own opinion is that it was a most unusual thing, and that it was done for the purpose of preventing the House from voting on a direct issue. I have inquired of many Members, and some of the oldest Members say they cannot remember any instance where that rule was invoked in a case of this kind. The issue was presented for a direct vote to restore the compensation to service-connected disabled World War veterans and to reinstate the pension status of Spanish War veterans. It was not ambiguous, everybody understood it, and everybody was ready to vote upon it. They were entitled to that vote yesterday—not at some future date when the Appropriations Committee gets through with it. I say by referring it to the Appropriations Committee the House was denied that opportunity, and that is the reason I have filed these petitions.

Mr. BYRNS. I want to say to the gentleman as emphatically as he says that it was the purpose to deny the House a vote, that the House will be given an opportunity to vote on every amendment when the bill is reported back. Now, I will say to the gentleman that in the Seventy-first Congress Speaker Nicholas Longworth referred the Interior Department bill on Senate amendments to the Committee on Appropriations, exactly as was done by the Speaker on this occasion. So the gentleman sees there was a very recent precedent for this action taken when the gentleman's party was in control of the House. There are other precedents prior to that action.

Mr. BULWINKLE. I would like to ask the gentleman from Oregon a question. Does he know what the Senate amendments provide?

Mr. MOTT. Yes.

Mr. BULWINKLE. What is it?

Mr. MOTT. I will tell the gentleman. In the first place, the Senate amendment restores to World War service-connected disability cases the status that these cases had prior to the enactment of the Economy Act.

In the second place, it puts the presumptive cases, so-called, back on the statute books with certain specific limitations, giving to them their former rates of compensation, provided they had already established the service connection of their disability by law. Thirdly, the Senate amendments reinstate the pension statutes of Spanish-American War veterans as it existed prior to the passage of the Economy Act.

[Here the gavel fell.]

Mr. BULWINKLE. Mr. Speaker, I ask unanimous consent that the gentleman may have 2 additional minutes to answer questions.

Mr. BLANTON. Mr. Speaker, I want to ask the gentleman—

[Cries of "Regular order!"]

Mr. BLANTON. If it is to be the regular order, I object.

Saturday, March 3, 1934

Mr. MOTT. Mr. Speaker, I stated yesterday in reply to the question of the gentleman from North Carolina [Mr. BULWINKLE] what the provisions of the Senate amendments to the independent offices appropriation bill were in regard to disabled veterans of the World War and the Spanish War veterans. Expiration of the time allotted me for this purpose prevented me from summarizing the remaining veteran provisions of the amendments. I desire to do this now.

In addition to the World War and Spanish War veterans' provisions, the Senate amendments include remedial legislation in regard to hospitalization, to death compensation of World War veterans' widows and children, and to disability retirement pay of emergency officers actually disabled in line of duty.

The widow's pension amendment provides that in no event shall death compensation being paid to widows, children, or dependent parents of deceased veterans be reduced or discontinued, whether the death of the veteran on whose account compensation is being paid was directly or presumptively connected with service. The amendment excludes from its provisions any case where death compensation was or is being paid through fraud, misrepresentation of a material fact, or unmistakable error; and this, in my opinion, is an all-sufficient safeguard and disposes of every reason for continuing the inhuman provisions of the Economy Act in regard to death compensation to dependents, under which thousands of helpless widows and orphans of disabled veterans were left destitute.

The Senate amendments also reinstate about 1,900 emergency officers actually disabled in line of duty during the war, and whose disability allowance was cut off by the Economy Act. This restoration includes only those officers whose injury or disease was made a matter of official record by competent military authority during the period of actual service in wartime, and to whom a disability allowance was being paid at the time of the passage of the Economy Act.

HOUSE UNDERSTANDS THE ISSUE

Finally, the Senate amendments provide that any honorably discharged veteran of any war who is suffering from disability or disease requiring hospitalization or domiciliary care and who is unable to defray the necessary expenses thereof, shall be entitled to hospitalization or domiciliary care in any veterans' hospital within the limitations existing in such hospital.

Now, Mr. Speaker, I repeat, there is nothing vague and nothing ambiguous in any of these amendments, nothing which the Members of the House do not understand and which they have not been perfectly familiar with ever since the Legion four-point bill and the Spanish War veterans bill were introduced in January. I say the House is entitled to vote on these amendments now, and that it is competent to vote on them, without the intervention or advice of the Appropriations Committee.

There are gentlemen here who honestly believe that these amendments are not proper. They voted for the Economy Act in the first place, knowing what it would do and what it has done for the sick and disabled veterans, both in the hospitals and out of them. I have no quarrel with them. If they are against the amendments, either in whole or in part, let them vote according to their convictions and their conscience. I do not deny them the right to vote against the amendments, but, Mr. Speaker, neither shall they deny me the right to vote for them, if I can help it. And that is why I have filed these motions to discharge the committees.

In closing, let me say this. If, as the distinguished majority leader assured me on the floor yesterday, it is the intention of the Appropriations Committee to report out these Senate amendments within a reasonable time, and in the exact form in which they received them, I have no great objection to that committee's doing so. In that case, however, I am wholly unable to see any reason for the reference of the amendments to the Appropriations Committee. If that committee is simply going to hold the amendments for 3 or 4 days and then send them into the House without any change, for what purpose was the reference to that committee?

The astute, capable, and intelligent leaders of the majority, who, by the way, are opposed to these amendments, do not do meaningless or futile things. If the Appropriations Committee report the amendments out unchanged, within a reasonable time, and allow the House a direct vote upon each one of them separately, my opinion is that it will not be because the majority leaders want them to—otherwise, they never would have had them referred to that committee—but it will be because the pressure of sentiment both within this body and without it, forces them to do so.

That such sentiment exists and exists strongly, I think there can be no possible doubt. Therefore, whatever the reason may have been for referring the amendments to the committee, we are willing to wait a reasonable time, and no more, for those amendments to come out. If they do not, then by the motions for discharge which I have filed, we intend to force consideration of both the American Legion four-point bill and the Spanish War veterans' bill, notwithstanding the wishes either of the majority leaders or the committee.

Friday, March 16, 1934

The Committee on Appropriations reported back the bill H. R. 6663, the independent offices appropriations bill, as amended by the Senate, and Mr. TABER, of New York, offered sundry amend-

ments thereto which were adopted. The Senate, having reported to the House that it insisted upon the Senate amendments, the question on this day was upon concurrence in the Senate amendments.

THE HOUSE WINS THE RIGHT TO VOTE ON THE AMENDMENTS

Mr. MOTT. Mr. Speaker, the chance for which we have been fighting here ever since March 1 has come. We are about to vote directly upon the motion to concur in the Senate amendments restoring full compensation to disabled veterans of the World War and reinstating the pension status of Spanish-American War veterans.

Whether this motion prevails or whether the House decides to insist upon the Taber amendment adopted day before yesterday, and which provides only for partial restoration, the disabled and the aged veterans of all wars have won an outstanding victory by our action here, for we have at least gained the opportunity to vote yes or no upon the Senate amendments—an opportunity which the administration leaders have sought heretofore to deny us.

The fate of these veterans is in your hands on this motion, and I have only one word now to say, that is to remind you that throughout this debate no one has advanced the argument that the Senate amendments give the disabled veteran too much and no one has contended that the pensions of Spanish War veterans should not be restored to the extent the Senate amendments provide.

The sole argument advanced against adoption of the Senate amendments is that if they are adopted the President will veto the bill. As to that argument let me say this: Nobody knows what the President will do. He has not indicated what he will do. He has not authorized anyone to say for him here what he will do.

But the question here is not what the President might do. This motion is not before the President for decision. It is before us. And the sole question is whether we believe the veterans are entitled to the relief the Senate amendments provide.

I say that the Senate amendments which are before us now are fair and just, and I repeat that no legitimate argument has been advanced in this debate against any of them. Who, I ask you, has said anything about the amendments that would cause a single one of you to vote against them, except the bare assertion that if the Senate amendments are adopted the President will veto this bill? And as to that assertion I challenge not only its truth but I also challenge the right of any Member to make it, except as a statement of his own opinion. It is not legitimate debate. No evidence has been produced here as to what the views of the President are upon this legislation.

And in this connection let me say further that no matter what the views of the President may or may not be, that is certainly no reason and no excuse for any Member of this body to vote against his own convictions when the roll is called on this motion. If the House of Representatives is to vote favorably only on that which the President shall approve of in advance, and if we are to be restrained, gagged, and subdued in our voting privilege by threats of a veto from the White House, then I say Congress had better adjourn permanently and go home. [Applause.]

The Senate amendments are not only fair and just; they are merciful as well. They take the cruelty and the inhumanity out of the Economy Act. You have the opportunity now for the first time to vote in favor of them. The great decisive moment for which the sick and disabled and the aged veterans have been waiting ever since the passage of the Economy Act is here. Let us not pass them by. Let us not give them less than they deserve. Let us vote for the Senate amendments. [Applause.]

[Here the gavel fell.]

Wednesday, April 18, 1934

VETERAN LEGISLATION PASSED OVER THE VETO—WHAT IT IS AND WHAT IT IS NOT

Mr. MOTT. Mr. Speaker, it has now been nearly a month since we passed over the President's veto the veteran legislation which was the subject of so much debate here and so much discussion throughout the country and which virtually repeals the entire Economy Act insofar as disabled veterans of the World War and the veterans of the Spanish War are concerned.

One would think, after all this debate and discussion, that the people generally would know just what this legislation is about. The fact is, however, that newspaper editorials, correspondence with our constituents, and even news articles which we have been receiving for 3 weeks, indicate that the people have been just as much misinformed about this legislation as they were about the Economy Act at the special session.

The legislation on which the President's veto was overridden has been referred to in some of this correspondence, and in these articles and editorials, as everything from the bonus to the restoration of the non-service-connected cases, and it may not be out of place to state again, for the benefit of some of our constituents, just what this legislation is.

The Senate amendments provided for full restoration of service-connected World War disability cases, both those whose service connection appeared on the face of the veteran's war record and those whose service connection had been established by law by competent proof outside the record. The latter were the so-called "presumptive cases." The Senate amendments also provided for the reinstatement of the pension status of veterans of the Spanish War and the

restoration of their pensions to the extent of 90 percent of what they were receiving prior to the passage of the Economy Act. The Senate amendments proposed to restore the right of hospitalization to those veterans who were financially unable to pay for their own hospitalization. Restoration of the disability allowance of a limited class of World War emergency officers was also proposed. It provided for reinstatement of the pension rights of widows and children of disabled veterans who have died since the passage of the Economy Act and who would have been entitled to such pensions except for the Economy Act.

The Senate original amendments were not adopted as a whole, but only in part. By a margin of one vote, the Taber amendment was substituted, and, after the Senate receded from its original amendments and adopted the Taber amendment, the House concurred.

THE DIFFERENCE BETWEEN THE SENATE AMENDMENTS AND THE TABER AMENDMENT

The difference between the original Senate amendments and the Taber amendment thereto is principally a difference in the amount of restoration. The Taber amendment contained nothing contrary in principle to the original Senate amendments; and, so far as that is concerned, I think everyone agrees now that complete restoration is inevitable and that we will accomplish that through subsequent legislation in the very near future.

No nonservice cases were involved in any of this legislation. In fact, there has never been any legislation introduced in Congress for that purpose. And, of course, the payment of the bonus was not involved, either.

The inaccurate statements that have been made in regard to this legislation have not been made through ignorance. They have been made deliberately, for the purpose of misinforming the people, and they are a part of the original propaganda of the National Economy League. The ridiculous statements as to the cost of this legislation are also propaganda. The total additional cost, according to the official statement of the Veterans' Administration, will be \$83,000,000, and not any of the fanciful figures that have been variously stated in newspaper stories and editorials. These imaginary figures have run all the way from \$125,000,000 to \$250,000,000, and have been repeated continuously and deliberately in the face of the Veterans' Administration's official statement. But we need not be disturbed by this. In time the people will learn the falsity of this propaganda, just as they ultimately learned that the propaganda used to pass the Economy Act was false.

Altogether this has been a great victory, a just victory, and a humane victory. It will redound to the benefit not only of the sick, the disabled, and the aged veterans, but to the benefit of their States and their communities and to everyone with whom they come in daily contact.

EXTENSION OF REMARKS

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein certain letters regarding the New York Syllabus.

The SPEAKER. Without objection it is so ordered.

There was no objection.

RECESS

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that the House stand in recess subject to the call of the Chair, the bells to be rung 10 minutes before the House is called to order.

Mr. SNELL. Mr. Speaker, reserving the right to object, has the gentleman any idea how long the recess will be?

Mr. RAYBURN. No one can tell. I am going over to the other end of the Capitol now to find out just what the situation is.

The SPEAKER. Is there objection to the request of the gentleman from Texas that the House stand in recess subject to the call of the Chair, the bells to be rung 10 minutes before the House is called to order?

There was no objection.

Thereupon (at 7 o'clock and 11 minutes p. m.) the House stood in recess subject to the call of the Chair.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 8:35 p. m.

FURTHER MESSAGE FROM THE SENATE

A still further message from the Senate by Mr. St. Claire, one of its clerks, announced that the Senate had passed without amendment bills, joint resolutions, and concurrent resolutions of the House of the following titles:

H. R. 342. An act for the relief of H. Ward Bell;

H. R. 344. An act for the relief of Ford O. Gotham and James McCumber;

H. R. 347. An act for the relief of W. Glenn Larmonth;

H. R. 656. An act for the relief of Elmer W. Haas;

H. R. 667. An act to correct the records of the War Department to show that Guy Carlton Baker and Calton C. Baker or Carlton C. Baker is one and the same person;

H. R. 1251. An act for the relief of Anna L. Andreas and Anita Andreas;

H. R. 1299. An act for the relief of William E. Rich;

H. R. 1768. An act for the relief of Olin J. Salley;

H. R. 2734. An act to authorize the coinage of 50-cent pieces in commemoration of the four hundredth anniversary of the journey and explorations of Francisco Vasquez de Coronado;

H. R. 3357. An act conferring jurisdiction upon the United States District Court for the Northern District of California to hear, determine, and render judgment upon the claim of Fred Owens;

H. R. 3618. An act to reestablish the longevity pay of warrant officers;

H. R. 3961. An act for the relief of the estate of Benjamin A. Pillsbury (William J. Pillsbury, executor);

H. R. 4115. An act for the relief of Roy M. Young;

H. R. 5804. An act to provide for the residence of the United States commissioners appointed for the national parks, and for other purposes;

H. R. 6168. An act to amend section 239 of the act of June 8, 1872 (17 Stat. 312; U. S. C., title 39, sec. 500);

H. R. 6178. An act to abolish appeals in habeas corpus proceedings brought to test the validity of orders of removal;

H. R. 6591. An act to exempt from cancellation certain desert-land entries in Riverside County, Calif.;

H. R. 6805. An act for the relief of William Moseley;

H. R. 6820. An act for the relief of Elizabeth Vresh (Yalga Vres), her son, Frederick Vresh, and her daughter, Sylvia Vresh Bronowitz;

H. R. 7039. An act for the relief of Paul Hirschmann;

H. R. 7144. An act for the relief of the Curtiss Aeroplane & Motor Co., Inc.;

H. R. 7294. An act for the relief of Bartholemew Harrington;

H. R. 7369. An act to validate certain certificates of naturalization granted by the United States District Court for the District of Hawaii;

H. R. 7854. An act for the relief of Joseph Gross;

H. R. 8199. An act for the relief of Mrs. Olive Fletcher Conklin;

H. R. 8434. An act to liberalize the laws providing pensions for the dependents of veterans whose death resulted from service prior to April 21, 1898;

H. R. 8753. An act for the relief of the Choctaw Cotton Oil Co., of Ada, Okla.;

H. R. 8799. An act for the relief of William B. Blaufuss;

H. R. 9199. An act for the relief of Helen M. Krekler and the estate of Kemp Plummer;

H. R. 9282. An act for the relief of the estate of D. B. Carter;

H. R. 9448. An act for the relief of Charles G. Bostwick;

H. R. 9543. An act for the relief of Mr. and Mrs. Harold E. Theriault;

H. R. 10043. An act for the relief of employees of the Works Progress Administration whose tools and personal property were damaged or destroyed by fire at Roosevelt Stadium, Jersey City, N. J.;

H. R. 10051. An act to provide for travel allowance to railway-mail clerks assigned to road duty;

H. R. 10136. An act for the relief of John Patrick Toth;

H. R. 10380. An act to amend the act entitled "An act to incorporate the Society of American Florists and Ornamental Horticulturists within the District of Columbia";

H. R. 10506. An act to extend the times for commencing and completing the construction of a bridge across the Mississippi River between St. Louis, Mo., and Stites, Ill.;

H. R. 10507. An act to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near a point between Morgan and Wash Streets in the city of St. Louis, Mo., and a point opposite thereto in the city of East St. Louis, Ill.;

H. R. 10527. An act for the relief of the American National Bank, of Kalamazoo, Mich.;

H. R. 10540. An act to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Arrow Rock, Mo.;

H. R. 10605. An act to authorize the appropriation of funds for the development of rotary-winged and other aircraft;

H. R. 10610. An act granting the consent of Congress to the Iowa State Highway Commission to reconstruct or construct, maintain, and operate a free highway bridge across the Des Moines River at or near Keosauqua, Iowa;

H. R. 10632. An act authorizing the Port Authority of Duluth, Minn., and the Harbor Commission of Superior, Wis., to construct a highway bridge across the St. Louis River from Rices Point in Duluth, Minn., to Superior in Wisconsin;

H. R. 10670. An act to extend the times for commencing and completing the construction of a bridge across the Wabash River at or near Merom, Sullivan County, Ind.;

H. R. 10752. An act to authorize Federal cooperation in the acquisition of the "Muir Wood Toll Road" located in Marin County, State of California, and for other purposes;

H. R. 10842. An act creating the Cassville-Guttenberg Bridge Commission and authorizing said commission and its successors to construct, maintain, and operate a bridge or bridges across the Mississippi River at or near Cassville, Wis., and Guttenberg, Iowa;

H. R. 10866. An act authorizing the States of Minnesota and Wisconsin, jointly or separately, to construct, maintain, and operate a free highway bridge across the Mississippi River at or near Winona, Minn.;

H. R. 10873. An act to authorize the conveyance to the Arthur Alexander Post, No. 68, the American Legion of Belzoni, Miss., of the improvements and site containing 18 acres of land, more or less, at lock and dam No. 1 on the Sunflower River, Miss.;

H. R. 10895. An act to amend the act approved August 16, 1937, entitled "An act conferring jurisdiction upon the United States District Court for the Middle District of Georgia to hear, determine, and render judgment upon the claims of the estates of Marshall Campbell and Raymond O'Neal."

H. R. 10935. An act to authorize the Secretary of War to lend War Department equipment for use at the convention of the American Legion of New York during the month of August 1938;

H. J. Res. 551. Joint resolution providing compensation for certain employees;

H. J. Res. 663. Joint resolution to provide for the operation of the Peru and Indianapolis Railway post office by motor vehicle over the public highways;

H. J. Res. 681. Joint resolution to amend the Naturalization Act of June 29, 1906 (34 Stat. 596), as amended;

H. Con. Res. 66. Concurrent resolution authorizing the President of the Senate and the Speaker of the House of Representatives to sign enrolled bills or joint resolutions notwithstanding any recesses of the Senate and House of Representatives or adjournment of the third session of the Seventy-fifth Congress; and

H. Con. Res. 67. Concurrent resolution providing that when the two Houses of Congress shall adjourn on Thursday, the 16th day of June 1938, they stand adjourned sine die.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills and a joint resolution of the House of the following titles:

H. R. 4540. An act authorizing the Red Lake Band of Chippewa Indians in the State of Minnesota to file suit in the Court of Claims, and for other purposes;

H. R. 7515. An act to authorize the sale of certain lands of the Eastern Band of Cherokee Indians, North Carolina;

H. R. 9569. An act for the relief of Charles P. McCarthy;

H. R. 9739. An act to amend the Interstate Commerce Act, as amended, by amending certain provisions of part II of said act, otherwise known as the Motor Carrier Act, 1935;

H. R. 9868. An act for the relief of Harry J. Somerville; and

H. J. Res. 714. Joint resolution for the relief of certain aliens.

The message also announced that the Senate had passed bills and a concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. 1404. An act for the relief of Charlotte E. Hunter;

S. 1946. An act to facilitate the control of soil erosion and flood damage originating upon lands within the exterior boundaries of the Angeles National Forest in the State of California;

S. 3332. An act to provide for recognizing the services rendered by civilian officers and employees in the construction and establishment of the Panama Canal and the Canal Zone;

S. 3489. An act authorizing the appointment of John Sneed Adams as a second lieutenant in the Army;

S. 3600. An act to amend section 503 of the Revenue Act of 1936 so as to authorize the use of accounting and registering devices for paying or collecting certain revenue taxes;

S. 3692. An act to authorize and direct the Comptroller General of the United States to allow credit for all outstanding disallowances and suspensions in the accounts of the disbursing officers or agents of the Government for payments made to certain employees appointed by the United States Employees' Compensation Commission;

S. 3888. An act for the relief of Charles L. Kee;

S. 4173. An act to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Arrow Rock, Mo.; and

S. 4174. An act to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near St. Charles, Mo.

S. Con. Res. 33. Concurrent resolution authorizing congressional representation at the exercises incident to the dedication of the Thousand Islands Bridge across the St. Lawrence River.

The message also announced that the Senate had agreed to the amendments of the House to bills of the Senate of the following titles:

S. 662. An act for the relief of Jeanne Rich, a minor; and

S. 2403. An act to prohibit the transportation of certain persons in interstate or foreign commerce during labor controversies, and for other purposes.

The message also announced that the Senate recedes from all of its amendments to the bill (H. R. 7084) entitled "An act to provide that all cabs for hire in the District of Columbia be compelled to carry insurance for the protection of passengers, and for other purposes."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10851) entitled "An act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1938, and for prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1938, and June 30, 1939, and for other purposes."

The message also announced that the Senate recedes from its amendments Nos. 43 and 44 to the foregoing bill.

The message also announced that the Senate had adopted the following orders:

Ordered, That the Secretary be directed to inform the House of Representatives that the Chair has appointed Mr. POPE, Mr. PEPPER, and Mr. NORRIS members on the part of the Senate of the Special Joint Congressional Committee to Investigate the Adequacy and Use of the Phosphate Resources of the United States, as provided for in Senate Joint Resolution 298, approved June 16, 1938.

Ordered, That the Secretary be directed to inform the House of Representatives that the Chair has appointed Mr. O'MAHONEY, Mr.

KING, and Mr. BORAH members on the part of the Senate of the temporary National Economics Committee as provided for in Senate Joint Resolution 300, approved June 16, 1938.

The message also announced that the Senate had passed the following resolution:

Senate Resolution 305

Resolved, That a committee of two Senators be appointed by the President of the Senate to join a similar committee appointed by the House of Representatives to wait upon the President of the United States and inform him that the two Houses, having completed the business of the present session, are ready to adjourn unless the President has some further communication to make to them.

COMMITTEE TO NOTIFY THE PRESIDENT

Mr. RAYBURN. Mr. Speaker, your committee appointed to join with a committee of the Senate to inform the President that Congress was ready to adjourn and to ask him if he had any other communications to make to the Congress, has performed that duty. The President has directed us to say that he has no further communications to make to the Congress.

Mr. LANZETTA. Mr. Speaker, I ask unanimous consent to take from the Speaker's table House Joint Resolution 714, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the House joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. SNELL. Mr. Speaker, reserving the right to object, I understood there was no more business to come before the House. If there is any more business to come up, let us take it all.

The SPEAKER. The Chair may say to the gentleman from New York that these are minor matters involving Senate amendments only.

Mr. SNELL. I have no objection.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

MOTOR CARRIER ACT OF 1935

Mr. SADOWSKI. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 9739, to amend the Interstate Commerce Act, as amended, by amending certain provisions of part II of said act, otherwise known as the Motor Carrier Act, 1935, with Senate amendment thereto and agree to the Senate amendment.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

Mr. HOLMES. Mr. Speaker, reserving the right to object, is this the amendment which the Senate inserted in one of the sections, the House Committee on Interstate and Foreign Commerce having stricken out?

Mr. SADOWSKI. No.

Mr. HOLMES. Will the gentleman please tell the House what it does contain?

Mr. SADOWSKI. It contains minor amendments that are inconsequential. We want to take care of a local situation in New Jersey and another situation with respect to certain farmers who are afraid that certain rates might be increased. The Senate agreed with the House Committee on Interstate and Foreign Commerce. I have consulted with the members of the committee, and they have agreed to it.

Mr. HOLMES. Section 3 has not been reinserted in the bill?

Mr. SADOWSKI. No.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

Mr. BUCKLER of Minnesota. Mr. Speaker, I ask unanimous consent to take from the Speaker's table H. R. 4540, with

a Senate amendment thereto, and agree to the Senate amendment.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. SUMNERS of Texas. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a brief report by the Committee on the Judiciary with reference to the discharge of its responsibilities under House Resolution 287.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

EASTERN BAND OF CHEROKEE INDIANS, NORTH CAROLINA

Mr. ROGERS of Oklahoma. Mr. Speaker, I ask unanimous consent to take from the Speaker's table H. R. 7515, with a Senate amendment thereto, and agree to the Senate amendment.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

CONFERENCE REPORT ON S. 1831

Mr. ROGERS of Oklahoma filed the following conference report and statement on the bill S. 1831:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1831) to provide for the payment of attorneys' fees from Osage tribal funds, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendment.

WILL ROGERS,

KNUTE HILL,

F. L. CRAWFORD,

Managers on the part of the House.

B. K. WHEELER,

LYNN J. FRAZIER,

Managers on the part of the Senate.

STATEMENT

We, the conferees of the House on Senate bill No. 1831, agree to recede from the amendment of the House, thereby restoring to the bill attorney fees, not to exceed 12½ percent of the amount recovered, as originally provided for in the original Senate bill.

WILL ROGERS,

F. L. CRAWFORD,

Managers on the part of the House.

CHARLES P. MCCARTHY

Mr. KENNEDY of Maryland. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 9569) for the relief of Charles P. McCarthy, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

HARRY J. SOMERVILLE

Mr. KENNEDY of Maryland. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 9868) for the relief of Harry J. Somerville, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. O'MALLEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein extracts from certain letters received by me on certain matters of legislation.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. McFARLANE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein certain letters and excerpts.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

HON. WILLIAM B. BANKHEAD

The SPEAKER. Will the gentleman from Texas [Mr. RAYBURN] kindly take the chair for a moment?

Mr. RAYBURN assumed the chair.

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York [Mr. SNELL].

Mr. SNELL. Mr. Speaker, I offer a resolution and ask for its immediate consideration.

The Clerk read as follows:

House Resolution 539

Resolved, That the thanks of the House are presented to the Honorable WILLIAM B. BANKHEAD, Speaker of the House of Representatives, for the able, impartial, and dignified manner in which he has presided over the deliberations and performed the arduous duties of the Chair.

Mr. SNELL. Mr. Speaker, I deem it a privilege and a personal favor for myself, in behalf of the minority, to offer this resolution expressing our faith and confidence in the great Speaker of the House of Representatives. [Applause.] Two years ago I offered a somewhat similar resolution, but there was a certain shade of sadness over the House at that time on account of the sudden and untimely death of the beloved Speaker, Joe Byrns. At that time I made certain predictions as to the future work of the present Speaker of this House. I am pleased to say to the Members he has fulfilled those predictions more than 100 percent. [Applause.] He has presided over this House with great dignity and has brought honor to himself and to the party he represents. [Applause.] He has proven himself an able, efficient, and respected Speaker of the House of Representatives, and he is entitled to have his name go down among the great Speakers of recent years. [Applause.] To my friend, BILL BANKHEAD, may I say I wish you and yours every good fortune in the future that your life, your ability, and your character deserve. [Applause.]

To my good friend the majority leader, the Honorable SAM RAYBURN, of Texas [applause], I want to express my sincere appreciation for the courtesy and consideration he has always shown me in connection with the work of the House. Of course, he has not always told me everything I would like him to have told me, but I believe perhaps he has told me as much as he ought to have told the leader of the opposition. It has been a pleasure to work with Sam, and I want to extend him my cordial good wishes. [Applause.]

May I say to the Republican minority that I sincerely appreciate the loyal support you have given me during the Seventy-fifth Congress. You have been generous to my shortcomings and constant in your support of my endeavor to do what is right for the party and for the country at large.

In fact, I want to extend my sincere good wishes to every Member of this House on both sides of the aisle. [Applause.] I consider that you have done your duty in accordance with the dictates of your own conscience and your own judgment, and that is all that can be asked of any public man.

While I appreciate the fact we are all eager to get away from here and go to our homes, and I hope each and every one of you has a pleasant and enjoyable vacation, nevertheless, there is always a sense of sadness in the closing of the last session of a Congress. No one knows what is in the

future for him, but some of us will not be here to answer the next roll call.

In closing, I wish to say this: You all have my sincere and most friendly and kindly feeling. As we close here tonight, I bid you all an affectionate good night. [Applause, the Members rising.]

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York [Mr. O'CONNOR].

Mr. O'CONNOR of New York. Mr. Speaker pro tempore, and especially Mr. Speaker BANKHEAD, as this Seventy-fifth Congress is about to adjourn—permanently, I hope—I desire to express to you as its great Presiding Officer the appreciation which I personally feel toward the distinction you have at all times contributed to our Assembly. That all the Members of this body, irrespective of political party, join with me in this tribute, I am confident.

To my close friends, the distinguished majority leader and the distinguished minority leader, every man and woman here will pay their respects. To all the other Members of this House, permit me to personally say all of us who have had any responsibility appreciate your patience, your spirit of cooperation toward the common good of the Nation, and your intimate personal friendships.

Life is short. The scene often changes. Some of us here may never meet again.

Retirement, defeat—yea, even death—may part our ways; but those of us who deeply and keenly appreciate the opportunity afforded to only 435 men and women out of the 130,000,000 of our people to serve as Representatives in Congress of our people will always treasure the close personal relations which have been cemented among us.

Neither time nor tide of events can ever sever these ties.

To say I love you all would be gratuitous. To say I shall always affectionately remember each and every one of you is not necessary. You all know it.

Whether we serve our country together again, whether we shall ever meet again, each and every one of you will always be enshrined in a niche in my heart. [Applause, the Members rising.]

The SPEAKER pro tempore. The question is on the adoption of the resolution.

The resolution was unanimously agreed to.

The SPEAKER pro tempore. The Chair recognizes the Representative from Alabama [Mr. BANKHEAD]. [Applause, the Members rising.]

Mr. BANKHEAD. Mr. Speaker, Mr. Minority Leader SNELL, Chairman of the Rules Committee O'CONNOR, I fear that it will be somewhat difficult for me to undertake to say a few words to you because of the stress of the very deep emotions that have been stirred in my heart and soul by this generous manifestation of your confidence, your esteem, and, I believe, of your personal affection. [Applause.]

I am very deeply indebted to my friend of many years' standing, the distinguished Representative from New York [Mr. SNELL], for the very kindly and most complimentary sentiments he has expressed with reference to my service in this body, and particularly with reference to the manner in which I have attempted to discharge the exacting duties of the Speakership since you honored me with that high trust and responsibility. There has existed between him and me for a great number of years a very candid and a very cordial understanding and warm friendship.

I believe that on one occasion, upon the anniversary of the birthday of Representative TAYLOR of Colorado, while I was undergoing a very desperate illness in Alabama 3 or 4 years ago, I undertook to say that he was one of the very finest minority leaders I had ever known, and out of my great admiration and affection for him I trusted that he would continue to serve in that capacity for a number of years [laughter and applause]; but if by the fortuities of politics to which we are all subject the tide of our political fortunes should change so that the opposition party should come into the control of the House, I knew of no man possessing higher qualifications of character and mental attainments than he to preside over the destinies of this House

[applause]; and I am most grateful for the generous expression of my long-time friend, JOHN O'CONNOR of New York, with whom I served for many years upon the very powerful Committee on Rules. I shall always cherish with a heart full of gratitude and appreciation the sentiments you have so kindly and so generously expressed.

I am not going to undertake to deliver any extended statement tonight. I have taken occasion more than once, and if God spares me to live I expect to repeat it on other occasions, to express my sentiments and appreciation of the dignity and personnel of the House of Representatives. I have served in this House now for 22 years, and during that period of service there has been a tremendous turnover in the personnel of the membership of this House. I had some statistics placed in the *Record* a few months ago, prepared by Mr. Tyler Page, which showed that since the Sixty-third Congress there have been more than 1,200 men who have served here in the House of Representatives, and, of course, I have known them all. I have had opportunity to observe them, their character, and the dignity and zeal with which they have almost universally performed the duties of their office, and I do not make this statement simply because I am speaking to my colleagues here in the House of Representatives, but I make it because it is the truth and will bear investigation and analysis anywhere and everywhere—that you cannot find anywhere in America a finer cross-section of patriotism, intelligence, devotion to duty, and high character than you will find in the House of Representatives of the Congress of the United States [applause], although I realize, of course, that this statement may be challenged by some gentlemen who seem to take great delight in undertaking to degrade the Congress of the United States in the public esteem.

The duties of the speakership of the House are exacting, they are onerous, they are multitudinous in all of their amplifications, and until I was promoted to this high position of trust and responsibility I really had no conception of what the duties of the speakership were, but I am happy to have had the assurance here tonight, particularly from the leader on the minority side, that I have so conducted the duties of that office as to show that I have endeavored at all times to be absolutely fair and impartial to every group of public opinion in this House and to every individual Member of it. [Applause.]

I shall not undertake to speak now of the accomplishments of this session of the Congress. This is not the time or the place to undertake that. What we have done here, its wisdom or its unwisdom, will be judged in a few months by the electorate of the country, and under our great system of public opinion the dominant party must be content to have its action weighed at the bar of the electorate, and we will abide that result with confidence. [Applause.]

That is all, I think, my friends, that it is proper for me to say on this occasion.

I desire simply to reiterate as earnestly as words can express, my deep and heartfelt appreciation for the generous words of praise that have been spoken in my behalf tonight, far more than I deserve, and to wish each Member of this body a safe return to his or her home, a safe adventure at the polls in November, and a happy recess looking forward to seeing as many of you as possible when we meet again. [Applause, the Members rising.]

Mr. RAYBURN. Mr. Speaker—

The SPEAKER. The Chair recognizes the gentleman from Texas [Mr. RAYBURN]. [Applause, the Members rising.]

Mr. RAYBURN. Mr. Speaker and my beloved colleagues on both sides of the aisle, you all, 434 of you, have been so kind and so fine to me in a very difficult position that I want to say to you tonight that I love you, everyone. [Applause.]

To you, Mr. Speaker, I want to say that of all the grand array of men who have presided over the destinies of this House in the more than a century and a half of its illustrious history none will rate greater than yourself. My af-

fection for WILL BANKHEAD is like the affection of brother for brother.

To you, Mr. Minority Leader, I want to say that you have been as cooperative as anyone in your position could possibly be. [Applause.] And you have been helpful to me by your intelligent, your fine, and your patriotic cooperation.

To you ladies and gentlemen on my right: In a position that has been arduous, that has been onerous, your cooperation, your consideration, and your friendship have helped me to get along.

I had a little talk with the President of the United States this afternoon—I am talking to the people on my right for the moment—and he said that even though we had not done one or two things we started out to do, that he thought the Congress of the United States was closing in a blaze of glory. [Applause.]

To all of you who have been so kind and fine to me, I offer my sincere and heartfelt thanks. I trust that at least 434 of you will be back here on next January. [Applause, the Members rising.]

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills and joint resolutions of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 146. An act to require contractors on public-building projects to name their subcontractors, materialmen, and supply men, and for other purposes;

H. R. 733. An act for the relief of George E. Titter;

H. R. 736. An act for the relief of Mallery Toy;

H. R. 1995. An act to add certain lands on the island of Hawaii to the Hawaii National Park, and for other purposes;

H. R. 3162. An act conferring jurisdiction upon the United States Court of Claims to hear, examine, adjudicate, and render judgment on any and all claims which the Ute Indians or any tribe or band thereof may have against the United States, and for other purposes;

H. R. 4571. An act for the relief of the widow and children of James Patrick Mahar;

H. R. 5379. An act for the relief of Mrs. B. E. Hennigan and her dependent minor children;

H. R. 5690. An act to amend the Longshoremen's and Harbor Workers' Compensation Act;

H. R. 7344. An act for the relief of Eddie Walker;

H. R. 7759. An act for the relief of Susan Lawrence Davis;

H. R. 7844. An act to amend the act of Congress entitled "An act to establish an Alaska Game Commission, to protect game animals, land fur-bearing animals, and birds in Alaska, and for other purposes," approved January 13, 1925, as amended;

H. R. 9721. An act authorizing the disbursement of funds appropriated for compensation of help for care of material, animals, armament, and equipment in the hands of the National Guard of the several States, Territories, and the District of Columbia, and for other purposes;

H. R. 9801. An act to provide for the retirement, rank, and pay of Chiefs of Naval Operations, Chiefs of Bureau of the Navy Department, the Judge Advocates General of the Navy, and the Major Generals Commandant of the Marine Corps;

H. R. 9888. An act for the relief of William Henry Johnston, Jr., a minor;

H. R. 9997. An act to regulate the distribution, promotion, and retirement of officers of the line of the Navy, and for other purposes;

H. R. 10127. An act to regulate interstate commerce by establishing an unemployment-insurance system for individuals employed by certain employers engaged in interstate commerce, and for other purposes;

H. R. 10432. An act to amend an act approved June 14, 1906 (34 Stat. 263), entitled "An act to prevent aliens from fishing in the waters of Alaska";

H. R. 10594. An act to provide for the creation, organization, administration, and maintenance of a Naval Reserve and a Marine Corps Reserve;

H. R. 10785. An act to amend the Perishable Agricultural Commodities Act, 1930, as amended;

H. R. 10618. An act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes;

H. R. 10846. An act to create the office of the Librarian Emeritus of the Library of Congress;

H. J. Res. 679. Joint resolution making appropriations for work relief, relief, and otherwise to increase employment by providing loans and grants for public-works projects;

H. J. Res. 699. Joint resolution to amend sections 101, 102, 103, 104, and 859 of the Revised Statutes of the United States relating to congressional investigations;

H. J. Res. 702. Joint resolution to provide that the United States extend to foreign governments invitations to participate in the Third International Congress for Microbiology to be held in the United States during the calendar year 1939, and to authorize an appropriation to assist in meeting the expenses of the session;

H. J. Res. 711. Joint resolution providing for the filling of a vacancy in the Board of Regents of the Smithsonian Institution of the class other than Members of Congress; and

H. J. Res. 712. Joint resolution providing for the filling of a vacancy in the Board of Regents of the Smithsonian Institution of the class other than Members of Congress.

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 371. An act for the relief of William R. Kellogg;

S. 1294. An act to amend the act entitled "An act to authorize the President to provide housing for war needs," approved May 16, 1918, as amended;

S. 2163. An act to authorize the deposit and investment of Indian funds;

S. 2505. An act for the relief of James J. Hogan;

S. 3337. An act to amend section 2 of the act entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1919, and for other purposes," approved July 1, 1918, to increase the authorized percentage of privates, first class, in the Marine Corps from 25 to 40 percent of the whole number of privates;

S. 3548. An act to amend section 9 of the Civil Service Retirement Act, approved May 29, 1930, as amended;

S. 3774. An act to authorize cooperation between the United States and the State of New York in the protection of the public interest and welfare inherent in certain forest lands in said State through provision for the acquisition and management of said lands;

S. 4007. An act authorizing the county of Lawrence, Ky., to construct, maintain, and operate a free highway bridge across the Big Sandy River at or near Louisa, Ky.;

S. 4011. An act to extend the time for completing the construction of a bridge across the Mississippi River at or near a point between Cherokee and Osage Streets, St. Louis, Mo.;

S. 4041. An act granting the consent of Congress to the State of New Jersey and the Commonwealth of Pennsylvania to enter into compacts or agreements with respect to constructing, maintaining, and operating a vehicular tunnel under the Delaware River;

S. 4036. An act relating to the tribal and individual affairs of the Osage Indians of Oklahoma;

S. 4044. An act to authorize the President to permit citizens of the American Republics to receive instruction at professional educational institutions and schools maintained and administered by the Government of the United States or by Departments or agencies thereof;

S. 4069. An act to authorize the Secretary of War to lend certain property to the reunion committee of the United Confederate Veterans to be used at their annual encampment to be held at Columbia, S. C., from August 30 to September 2, 1938;

S. 4070. An act to authorize the attendance of the Marine Band at the United Confederate Veterans' 1938 Reunion at Columbia, S. C., from August 30 to September 2, 1938, both dates inclusive; and

S. 4132. An act limiting the hours of labor of certain officers and seamen on certain vessels navigating the Great Lakes and adjacent waters.

BILLS AND JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, bills and joint resolutions of the House of the following titles:

H. R. 146. An act to require contractors on public-building projects to name their subcontractors, materialmen, and supply men, and for other purposes;

H. R. 733. An act for the relief of George E. Titter;

H. R. 736. An act for the relief of Mallery Toy;

H. R. 1995. An act to add certain lands on the island of Hawaii to the Hawaii National Park, and for other purposes;

H. R. 3162. An act conferring jurisdiction upon the United States Court of Claims to hear, examine, adjudicate, and render judgment on any and all claims which the Ute Indians or any tribe or band thereof may have against the United States, and for other purposes;

H. R. 4571. An act for the relief of the widow and children of James Patrick Mahar;

H. R. 5379. An act for the relief of Mrs. B. E. Hennigan and her dependent minor children;

H. R. 5690. An act to amend the Longshoremen's and Harbor Workers' Compensation Act;

H. R. 7344. An act for the relief of Eddie Walker;

H. R. 7759. An act for the relief of Susan Lawrence Davis;

H. R. 7844. An act to amend the act of Congress entitled "An act to establish an Alaska Game Commission, to protect game animals, land fur-bearing animals, and birds in Alaska, and for other purposes," approved January 13, 1925, as amended;

H. R. 9721. An act authorizing the disbursement of funds appropriated for compensation of help for care of material, animals, armament, and equipment in the hands of the National Guard of the several States, Territories, and the District of Columbia, and for other purposes;

H. R. 9801. An act to provide for the retirement, rank, and pay of Chiefs of Naval Operations, Chiefs of Bureau of the Navy Department, the Judge Advocates General of the Navy, and the Major Generals Commandant of the Marine Corps;

H. R. 9888. An act for the relief of William Henry Johnston, Jr., a minor;

H. R. 9997. An act to regulate the distribution, promotion, and retirement of officers of the line of the Navy, and for other purposes;

H. R. 10432. An act to amend an act approved June 14, 1906 (34 Stat. 263), entitled "An act to prevent aliens from fishing in the waters of Alaska";

H. R. 10594. An act to provide for the creation, organization, administration, and maintenance of a Naval Reserve and a Marine Corps Reserve;

H. R. 10127. An act to regulate interstate commerce by establishing an unemployment insurance system for individuals employed by certain employers engaged in interstate commerce, and for other purposes;

H. R. 10618. An act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes;

H. R. 10785. An act to amend the Perishable Agricultural Commodities Act, 1930, as amended;

H. R. 10846. An act to create the office of the Librarian Emeritus of the Library of Congress;

H. J. Res. 699. Joint resolution to amend sections 101, 102, 103, 104, and 859 of the Revised Statutes of the United States relating to congressional investigations;

H. J. Res. 702. Joint resolution to provide that the United States extend to foreign governments invitations to participate in the Third International Congress for Microbiology to be held in the United States during the calendar year 1939, and to authorize an appropriation to assist in meeting the expenses of the session;

H. J. Res. 711. Joint resolution providing for the filling of a vacancy in the Board of Regents of the Smithsonian Institution of the class other than Members of Congress; and

H. J. Res. 712. Joint resolution providing for the filling of a vacancy in the Board of Regents of the Smithsonian Institution of the class other than Members of Congress.

ADJOURNMENT SINE DIE

Mr. RAYBURN. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. The question is on the motion of the gentleman from Texas.

The motion was agreed to.

The SPEAKER. Pursuant to the provisions of House Concurrent Resolution 67, the Chair declares the third session of the Seventy-fifth Congress adjourned sine die.

Thereupon (at 9 o'clock and 9 minutes p. m.), the House adjourned sine die.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED SUBSEQUENT TO SINE DIE ADJOURNMENT

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills and joint resolutions of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 342. An act for the relief of H. Ward Bell;

H. R. 344. An act for the relief of Ford O. Gotham and James McCumber;

H. R. 347. An act for the relief of W. Glenn Larmonth;

H. R. 656. An act for the relief of Elmer W. Haas;

H. R. 667. An act to correct the records of the War Department to show that Guy Carlton Baker and Calton C. Baker or Carlton C. Baker is one and the same person;

H. R. 1251. An act for the relief of Anna L. Andreas and Anita Andreas;

H. R. 1299. An act for the relief of William E. Rich;

H. R. 1768. An act for the relief of Olin J. Salley;

H. R. 2646. An act for the relief of Isabella Hooper Caraway and James Randolph Hooper, a minor;

H. R. 2716. An act to provide for the local delivery rate on certain first-class mail matter;

H. R. 2734. An act to authorize the coinage of 50-cent pieces in commemoration of the four hundredth anniversary of the journey and exploration of Francisco Vasquez de Coronado;

H. R. 3357. An act conferring jurisdiction upon the United States District Court for the Northern District of California to hear, determine, and render judgment upon the claim of Fred Owens;

H. R. 3618. An act to reestablish the longevity pay of war-rant officers;

H. R. 3761. An act for the relief of Dudley E. Essary;

H. R. 3961. An act for the relief of the estate of Benjamin A. Pillsbury (William J. Pillsbury, executor);

H. R. 4115. An act for the relief of Roy M. Young;

H. R. 4540. An act authorizing the Red Lake Band of Chippewa Indians in the State of Minnesota to file suit in the Court of Claims, and for other purposes;

H. R. 4691. An act for the relief of Pompeo Ercolano;

H. R. 4996. An act for the relief of Sue VanRyn; Donald A. VanRyn, a minor; and the estate of Margaret Breseman, deceased;

H. R. 5804. An act to provide for the residence of the United States commissioners appointed for the national parks, and for other purposes;

H. R. 6168. An act to amend section 239 of the act of June 8, 1872 (17 Stat. 312; U. S. C., title 39, sec. 500);

H. R. 6178. An act to abolish appeals in habeas corpus proceedings brought to test the validity of orders of removal;

H. R. 6591. An act to exempt from cancellation certain desert-land entries in Riverside County, Calif.;

H. R. 6805. An act for the relief of William Moseley;

H. R. 6820. An act for the relief of Elizabeth Vresh (Yalga Vres), her son, Frederick Vresh, and her daughter, Sylvia Vresh Bronowitz;

H. R. 6925. An act to provide for a national cemetery in every State;

H. R. 7039. An act for the relief of Paul Hirschmann;

H. R. 7084. An act to provide that all cabs for hire in the District of Columbia be compelled to carry insurance for the protection of passengers, and for other purposes;

H. R. 7144. An act for the relief of the Curtiss Aeroplane & Motor Co., Inc.;

H. R. 7294. An act for the relief of Bartholemew Harrington;

H. R. 7369. An act to validate certain certificates of naturalization granted by the United States District Court for the District of Hawaii;

H. R. 7515. An act to authorize the sale of certain lands of the Eastern Band of Cherokee Indians, North Carolina;

H. R. 7854. An act for the relief of Joseph Gross;

H. R. 8047. An act to amend the Meat Inspection Act of March 4, 1907, as amended and extended, with respect to its application to farmers, retail butchers, and retail dealers;

H. R. 8199. An act for the relief of Mrs. Olive Fletcher Conklin;

H. R. 8434. An act to liberalize the laws providing pensions for the dependents of veterans whose death resulted from service prior to April 21, 1898;

H. R. 8753. An act for the relief of the Choctaw Cotton Oil Co., of Ada, Okla.;

H. R. 8799. An act for the relief of William B. Blaufuss;

H. R. 9012. An act for the relief of Joseph Webbe;

H. R. 9132. An act for the relief of Celia Koehler;

H. R. 9133. An act for the relief of William Monroe;

H. R. 9135. An act for the relief of Emons Wolfer;

H. R. 9171. An act directing the Court of Claims to reopen certain cases and to correct the errors therein, if any, by additional judgments against the United States;

H. R. 9199. An act for the relief of Helen M. Krekler and the estate of Kemp Plummer;

H. R. 9282. An act for the relief of the estate of D. B. Carter;

H. R. 9448. An act for the relief of Charles G. Bostwick;

H. R. 9516. An act for the relief of J. T. Herren and Billie Herren, a minor;

H. R. 9543. An act for the relief of Mr. and Mrs. Harold E. Theriault;

H. R. 9569. An act for the relief of Charles P. McCarthy;

H. R. 9731. An act for the relief of James J. Coyne;

H. R. 9739. An act to amend the Interstate Commerce Act, as amended, by amending certain provisions of part II of said act, otherwise known as the Motor Carrier Act, 1935;

H. R. 9795. An act for the relief of Michael J. Muldowney;

H. R. 9859. An act for the relief of Victor H. Todaro;

H. R. 9868. An act for the relief of Harry J. Somerville;

H. R. 10024. An act to establish the Olympic National Park, in the State of Washington, and for other purposes;

H. R. 10043. An act for the relief of employees of the Works Progress Administration whose tools and personal property were damaged or destroyed by fire at Roosevelt Stadium, Jersey City, N. J.;

H. R. 10051. An act to provide for travel allowance to railway-mail clerks assigned to road duty;

H. R. 10135. An act for the relief of James Philip Coyle;

H. R. 10136. An act for the relief of John Patrick Toth;

H. R. 10339. An act for the relief of Isaac Friedlander;

H. R. 10380. An act to amend the act entitled "An act to incorporate the Society of American Florists and Ornamental Horticulturists within the District of Columbia";

H. R. 10506. An act to extend the times for commencing and completing the construction of a bridge across the Mississippi River between St. Louis, Mo., and Stites, Ill.;

H. R. 10507. An act to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near a point between Morgan and Wash Streets in the city of St. Louis, Mo., and a point opposite thereto in the city of East St. Louis, Ill.;

H. R. 10527. An act for the relief of the American National Bank, of Kalamazoo, Mich.;

H. R. 10540. An act to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Arrow Rock, Mo.;

H. R. 10605. An act to authorize the appropriation of funds for the development of rotary-wing and other aircraft;

H. R. 10610. An act granting the consent of Congress to the Iowa State Highway Commission to reconstruct or construct, maintain, and operate a free highway bridge across the Des Moines River at or near Keosauqua, Iowa;

H. R. 10632. An act authorizing the Port Authority of Duluth, Minn., and the Harbor Commission of Superior, Wis., to construct a highway bridge across the St. Louis River from Rices Point in Duluth, Minn., to Superior, in Wisconsin;

H. R. 10670. An act to extend the times for commencing and completing the construction of a bridge across the Wabash River at or near Merom, Sullivan County, Ind.;

H. R. 10752. An act to authorize Federal cooperation in the acquisition of the "Muir Wood Toll Road," located in Marin County, State of California, and for other purposes;

H. R. 10777. An act authorizing the village of Baudette, State of Minnesota, its successors and assigns, to construct, maintain, and operate a bridge across the Rainy River at Baudette, Minn.;

H. R. 10835. An act to authorize the county of Kauai to issue bonds of such county in the year 1938 under the authority of Act 186 of the Session Laws of Hawaii, 1937, in excess of 1 percent of the assessed value of the property in said county as shown by the last assessment for taxation;

H. R. 10842. An act creating the Cassville-Guttenberg Bridge Commission and authorizing said commission and its successors to construct, maintain, and operate a bridge or bridges across the Mississippi River at or near Cassville, Wis., and Guttenberg, Iowa;

H. R. 10851. An act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1938, and for prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1938, and June 30, 1939, and for other purposes;

H. R. 10866. An act authorizing the States of Minnesota and Wisconsin, jointly or separately, to construct, maintain, and operate a free highway bridge across the Mississippi River at or near Winona, Minn.;

H. R. 10873. An act to authorize the conveyance to the Arthur Alexander Post, No. 68, the American Legion, of Belzoni, Miss., of the improvements and site containing 18 acres of land, more or less, at lock and dam No. 1 on the Sunflower River, Miss.;

H. R. 10895. An act to amend the act approved August 16, 1937, entitled "An act conferring jurisdiction upon the United States District Court for the Middle District of Georgia to hear, determine, and render judgment upon the claims of the estates of Marshall Campbell and Raymond O'Neal";

H. R. 10907. An act to provide for the vesting of title and the disposition of personal property left or found upon premises used as Veterans' Administration facilities, and for other purposes;

H. R. 10935. An act to authorize the Secretary of War to lend War Department equipment for use at the convention of the American Legion of New York during the month of August 1938;

H. J. Res. 281. Joint resolution to authorize sales and exchanges by the State of Wisconsin notwithstanding certain provisions in the act of August 22, 1912 (37 Stat. 324);

H. J. Res. 551. Joint resolution providing compensation for certain employees;

H. J. Res. 663. Joint resolution to provide for the operation of the Peru and Indianapolis railway post office by motor vehicle over the public highways;

H. J. Res. 681. Joint resolution to amend the Naturalization Act of June 29, 1906 (34 Stat. 596), as amended;

H. J. Res. 707. Joint resolution requesting the President of the United States to proclaim the week of May 31, 1939, National Flood Prevention Week;

H. J. Res. 714. Joint resolution for the relief of certain aliens; and

H. J. Res. 723. Joint resolution to amend H. R. 10672, Seventy-fifth Congress, third session, entitled "An act to amend section 4197 of the Revised Statutes, as amended (U. S. C., 1934 ed., title 46, sec. 91), and section 4200 of the Revised Statutes (U. S. C., 1934 ed., title 46, sec. 92), and for other purposes," so as to correct a typographical error.

The SPEAKER announced his signature to enrolled bills and a joint resolution of the Senate of the following titles:

S. 3. An act to regulate commerce in firearms;

S. 252. An act to exempt publicly owned interstate highway bridges from local taxation;

S. 662. An act for the relief of Jeanne Rich, a minor;

S. 1131. An act to amend the part of the act entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1921, and for other purposes," approved June 4, 1920, relating to the conservation, care, custody, protection, and operation of the naval petroleum and oil-shale reserves;

S. 1532. An act to exempt retired officers of the Marine Corps and Coast Guard from certain restrictions with respect to holding office under the United States;

S. 2090. An act authorizing the naturalization of Vernice May McBroom, and for other purposes;

S. 2338. An act to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes;

S. 2403. An act to prohibit the transportation of certain persons in interstate or foreign commerce during labor controversies, and for other purposes;

S. 2412. An act for the relief of A. Pritzker & Sons, Inc.;

S. 2702. An act for the relief of James A. Ellsworth;

S. 2783. An act to amend the China Trade Act, 1922, as to the duration of the China Trade Act corporations;

S. 2811. An act to amend the Judicial Code by adding thereto a new section to be No. 659 (1), relating to the certification, authentication, and use in evidence of documents of record or on file in public offices in the State of Vatican City;

S. 3062. An act for the relief of Thomas H. Eckfeldt;

S. 3064. An act for the relief of George Henry Levins;

S. 3171. An act for the relief of William Server Rhodes, chief boatswain's mate, United States Navy, retired;

S. 3189. An act for the relief of Earle Embrey;

S. 3255. An act to provide for the establishment of a mechanism of regulation among over-the-counter brokers and dealers operating in interstate and foreign commerce or through the mails, to prevent acts and practices inconsistent with just and equitable principles of trade, and for other purposes;

S. 3283. An act to authorize the Secretary of the Interior to place certain records of Indian tribes of Nebraska with the Nebraska State Historical Society, at Lincoln, Nebr., under rules and regulations to be prescribed by him;

S. 3319. An act to authorize certain payments to the Veterans of Foreign Wars of the United States, Inc., and to the Disabled American Veterans of the World War, Inc.;

S. 3346. An act authorizing the Secretary of the Interior to pay salaries and expenses of the chairman, secretary, and interpreter of the Klamath General Council, members of the Klamath Business Committee and other committees appointed by said Klamath General Council, and official delegates of the Klamath Tribe;

S. 3387. An act for the relief of Hubert J. Cuncannan;

S. 3403. An act for the relief of Leonard Graboski;

S. 3493. An act providing for the suspension of annual assessment work on mining claims held by location in the United States;

S. 3516. An act to alter the ratio of appropriations to be apportioned to the States for public employment offices affiliated with the United States Employment Service;

S. 3517. An act for the relief of David B. Monroe;

S. 3525. An act to amend the act entitled "An act to extend the benefits of the Civil Service Retirement Act of May 29, 1930, as amended, to certain employees in the legislative and judicial branches of the Government," approved July 13, 1937;

S. 3560. An act to revise the boundaries of the Colonial National Historical Park in the State of Virginia, and for other purposes;

S. 3628. An act to confer jurisdiction on the Court of Claims to hear, determine, and enter judgment upon the claims of Government contractors whose costs of performance were increased as a result of enactment of the National Industrial Recovery Act, June 16, 1933;

S. 3633. An act authorizing the naturalization of Albin H. Youngquist, and for other purposes;

S. 3682. An act for the relief of Loftis & Son;

S. 3684. An act to amend section 113 of the Judicial Code, as amended;

S. 3763. An act to increase the period for which leases may be made for grazing and agricultural purposes of public lands donated to the States of North Dakota, South Dakota, Montana, and Washington by the act of February 22, 1889, as amended;

S. 3781. An act for the relief of the International Oil Co., of Minot, N. Dak.;

S. 3798. An act to amend the act entitled "An act to establish a Civilian Conservation Corps, and for other purposes," approved June 28, 1937;

S. 3805. An act to adjust the lineal positions on the Navy list of certain officers of the Supply Corps of the United States Navy;

S. 3810. An act to extend to Chief Quartermaster Clerk David C. Buscall, United States Marine Corps (retired), the benefits of the act of May 7, 1932, providing highest World War rank to retired warrant officers;

S. 3817. An act for the relief of John Haslam;

S. 3830. An act for the relief of William C. Willaham;

S. 3891. An act to provide for the reimbursement of certain enlisted men of the Navy for the value of personal effects lost in a fire at the naval air station, Hampton Roads, Va., May 15, 1936;

S. 3921. An act for the relief of Remijio Ortiz;

S. 3937. An act conferring jurisdiction upon the Court of Claims of the United States to hear, determine, and render judgment upon the claim of the Wisconsin Bridge & Iron Co.;

S. 3957. An act for the relief of James Thow, Charles Thow, and David Thow;

S. 4005. An act for the relief of Ida May Swartz;

S. 4136. An act to facilitate the control of soil erosion and/or flood damage originating upon lands within the exterior boundaries of the Nevada and Toiyabe National Forests in Nevada and to promote efficiency and economy of administration of said national forests; and

S. J. Res. 114. Joint resolution for the relief of certain persons who suffered damages occasioned by the establishment and operation of the Aberdeen Proving Ground.

JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee did on Friday, June 17, 1938, present to the President, for his approval, a joint resolution of the House of the following title:

H. J. Res. 679. Joint resolution making appropriations for work relief, relief, and otherwise to increase employment by providing loans and grants for public-works projects.

BILLS PRESENTED TO THE PRESIDENT

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee did on June 21, 1938, present to the President, for his approval, bills and joint resolutions of the House of the following titles:

H. R. 342. An act for the relief of H. Ward Bell;

H. R. 344. An act for the relief of Ford O. Gotham and James McCumber;

H. R. 347. An act for the relief of W. Glenn Larmonth;

H. R. 656. An act for the relief of Elmer W. Haas;

H. R. 667. An act to correct the records of the War Department to show that Guy Carlton Baker and Calton C. Baker or Carlton C. Baker is one and the same person;

H. R. 1251. An act for the relief of Anna L. Andreas and Anita Andreas;

H. R. 1299. An act for the relief of William E. Rich;

H. R. 1768. An act for the relief of Olin J. Salley;

H. R. 2646. An act for the relief of Isabella Hooper Caraway and James Randolph Hooper, a minor;

H. R. 2716. An act to provide for the local delivery rate on certain first-class mail matter;

H. R. 2734. An act to authorize the coinage of 50-cent pieces in commemoration of the four hundredth anniversary of the journey and explorations of Francisco Vasquez de Coronado;

H. R. 3357. An act conferring jurisdiction upon the United States District Court for the Northern District of California to hear, determine, and render judgment upon the claim of Fred Owens;

H. R. 3618. An act to reestablish the longevity pay of warrant officers;

H. R. 3761. An act for the relief of Dudley E. Essary;

H. R. 3961. An act for the relief of the estate of Benjamin A. Pillsbury (William J. Pillsbury, executor);

H. R. 4115. An act for the relief of Roy M. Young;

H. R. 4540. An act authorizing the Red Lake Band of Chippewa Indians in the State of Minnesota to file suit in the Court of Claims, and for other purposes;

H. R. 4691. An act for the relief of Pompeo Ercolano;

H. R. 4996. An act for the relief of Sue VanRyn; Donald A. VanRyn, a minor; and the estate of Margaret Breseman, deceased;

H. R. 5804. An act to provide for the residence of the United States commissioners appointed for the national parks, and for other purposes;

H. R. 6168. An act to amend section 239 of the act of June 8, 1872 (17 Stat. 312; U. S. C., title 39, sec. 500);

H. R. 6178. An act to abolish appeals in habeas corpus proceedings brought to test the validity of orders of removal;

H. R. 6591. An act to exempt from cancellation certain desert-land entries in Riverside County, Calif.;

H. R. 6805. An act for the relief of William Moseley;

H. R. 6820. An act for the relief of Elizabeth Vresh (Yalga Vres), her son, Frederick Vresh, and her daughter, Sylvia Vresh Bronowitz;

H. R. 6925. An act to provide for a national cemetery in every State;

H. R. 7039. An act for the relief of Paul Hirschmann;

H. R. 7084. An act to provide that all cabs for hire in the District of Columbia be compelled to carry insurance for the protection of passengers, and for other purposes;

H. R. 7144. An act for the relief of the Curtiss Aeroplane & Motor Co., Inc.;

H. R. 7294. An act for the relief of Bartholemew Harrington;

H. R. 7369. An act to validate certain certificates of naturalization granted by the United States District Court for the District of Hawaii;

H. R. 7515. An act to authorize the sale of certain lands of the Eastern Band of Cherokee Indians, North Carolina;

H. R. 7854. An act for the relief of Joseph Gross;

H. R. 8047. An act to amend the Meat Inspection Act of March 4, 1907, as amended and extended, with respect to its application to farmers, retail butchers, and retail dealers;

H. R. 8199. An act for the relief of Mrs. Olive Fletcher Conklin;

H. R. 8434. An act to liberalize the laws providing pensions for the dependents of veterans whose death resulted from service prior to April 21, 1898;

H. R. 8753. An act for the relief of the Choctaw Cotton Oil Co., of Ada, Okla.;

H. R. 8799. An act for the relief of William B. Blaufuss;

H. R. 9012. An act for the relief of Joseph Webbe;

H. R. 9132. An act for the relief of Celia Koehler;
 H. R. 9133. An act for the relief of William Monroe;
 H. R. 9135. An act for the relief of Emons Wolfer;
 H. R. 9171. An act directing the Court of Claims to reopen certain cases and to correct the errors therein, if any, by additional judgments against the United States;
 H. R. 9199. An act for the relief of Helen M. Krekler and the estate of Kemp Plummer;
 H. R. 9282. An act for the relief of the estate of D. B. Carter;
 H. R. 9448. An act for the relief of Charles G. Bostwick;
 H. R. 9516. An act for the relief of J. T. Herren and Billie Herren, a minor;
 H. R. 9543. An act for the relief of Mr. and Mrs. Harold E. Theriault;
 H. R. 9569. An act for the relief of Charles P. McCarthy;
 H. R. 9731. An act for the relief of James J. Coyne;
 H. R. 9739. An act to amend the Interstate Commerce Act, as amended, by amending certain provisions of part II of said act, otherwise known as the Motor Carrier Act, 1935;
 H. R. 9795. An act for the relief of Michael J. Muldowney;
 H. R. 9859. An act for the relief of Victor H. Todaro;
 H. R. 9868. An act for the relief of Harry J. Somerville;
 H. R. 10024. An act to establish the Olympic National Park, in the State of Washington, and for other purposes;
 H. R. 10043. An act for the relief of employees of the Works Progress Administration whose tools and personal property were damaged or destroyed by fire at Roosevelt Stadium, Jersey City, N. J.;
 H. R. 10051. An act to provide for travel allowance to railway mail clerks assigned to road duty;
 H. R. 10135. An act for the relief of James Philip Coyle;
 H. R. 10136. An act for the relief of John Patrick Toth;
 H. R. 10339. An act for the relief of Isaac Friedlander;
 H. R. 10380. An act to amend the act entitled "An act to incorporate the Society of American Florists and Ornamental Horticulturists within the District of Columbia."
 H. R. 10506. An act to extend the times for commencing and completing the construction of a bridge across the Mississippi River between St. Louis, Mo., and Stites, Ill.;
 H. R. 10507. An act to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near a point between Morgan and Wash Streets, in the city of St. Louis, Mo., and a point opposite thereto in the city of East St. Louis, Ill.;
 H. R. 10527. An act for the relief of the American National Bank, of Kalamazoo, Mich.;
 H. R. 10540. An act to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Arrow Rock, Mo.;
 H. R. 10605. An act to authorize the appropriation of funds for the development of rotary-wing and other aircraft;
 H. R. 10610. An act granting the consent of Congress to the Iowa State Highway Commission to reconstruct or construct, maintain, and operate a free highway bridge across the Des Moines River, at or near Keosauqua, Iowa;
 H. R. 10632. An act authorizing the Port Authority of Duluth, Minn., and the Harbor Commission of Superior, Wis., to construct a highway bridge across the St. Louis River from Rices Point in Duluth, Minn., to Superior, in Wisconsin;
 H. R. 10670. An act to extend the times for commencing and completing the construction of a bridge across the Wabash River at or near Merom, Sullivan County, Ind.;
 H. R. 10752. An act to authorize the Federal cooperation in the acquisition of the "Muir Wood Toll Road," located in Marin County, State of California, and for other purposes;
 H. R. 10777. An act authorizing the village of Baudette, State of Minnesota, its successors and assigns, to construct, maintain, and operate a bridge across the Rainy River at Baudette, Minn.;
 H. R. 10835. An act to authorize the county of Kauai to issue bonds of such county in the year 1938 under the authority of Act 186 of the Session Laws of Hawaii, 1937, in excess of 1 percent of the assessed value of the property in said county as shown by the last assessment for taxation;

H. R. 10842. An act creating the Cassville-Guttenberg Bridge Commission and authorizing said commission and its successors to construct, maintain, and operate a bridge or bridges across the Mississippi River at or near Cassville, Wis., and Guttenberg, Iowa;

H. R. 10851. An act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1938, and for prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1938, and June 30, 1939, and for other purposes;

H. R. 10866. An act authorizing the States of Minnesota and Wisconsin, jointly or separately, to construct, maintain, and operate a free highway bridge across the Mississippi River at or near Winona, Minn.;

H. R. 10873. An act to authorize the conveyance to the Arthur Alexander Post, No. 68, the American Legion, of Belzoni, Miss., of the improvements and site containing 18 acres of land, more or less, at lock and dam No. 1 on the Sunflower River, Miss.;

H. R. 10895. An act to amend the act approved August 16, 1937, entitled "An act conferring jurisdiction upon the United States District Court for the Middle District of Georgia to hear, determine, and render judgment upon the claims of the estates of Marshall Campbell and Raymond O'Neal";

H. R. 10907. An act to provide for the vesting of title, and the disposition of personal property left or found upon premises used as Veterans' Administration facilities, and for other purposes;

H. R. 10935. An act to authorize the Secretary of War to lend War Department equipment for use at the convention of the American Legion of New York during the month of August 1938;

H. J. Res. 281. Joint resolution to authorize sales and exchanges by the State of Wisconsin notwithstanding certain provisions in the act of August 22, 1912 (37 Stat. 324);

H. J. Res. 551. Joint resolution providing compensation for certain employees;

H. J. Res. 663. Joint resolution to provide for the operation of the Peru and Indianapolis railway post office by motor vehicle over the public highways;

H. J. Res. 681. Joint resolution to amend the Naturalization Act of June 29, 1906 (34 Stat. 596), as amended;

H. J. Res. 707. Joint resolution requesting the President of the United States to proclaim the week of May 31, 1939, National Flood Prevention Week;

H. J. Res. 714. Joint resolution for the relief of certain aliens; and

H. J. Res. 723. Joint resolution to amend H. R. 10672, Seventy-fifth Congress, third session, entitled "An act to amend section 4197 of the Revised Statutes, as amended (U. S. C., 1934 ed., title 46, sec. 91), and section 4200 of the Revised Statutes (U. S. C., 1934 ed., title 46, sec. 92), and for other purposes," so as to correct a typographical error.

APPROVAL OF HOUSE BILLS AND JOINT RESOLUTIONS

The President of the United States, subsequent to the final adjournment of the third session of the Seventy-fifth Congress, notified the Clerk of the House of Representatives that he had approved acts and joint resolutions of the House, as follows:

On June 15, 1938:

H. R. 1476. An act for the relief of Mrs. W. E. Bouchev;

H. R. 1737. An act for the relief of Marie Frantzen McDonald;

H. R. 2347. An act for the relief of Drs. M. H. DePass and John E. Maines, Jr., and the Alachua County Hospital;

H. R. 3313. An act for the relief of William A. Fleek;

H. R. 4033. An act for the relief of Antonio Masci;

H. R. 4232. An act for the relief of Barber-Hoppen Corporation;

H. R. 4304. An act for the relief of Hugh O'Farrell and the estate of Thomas Gaffney;

H. R. 4544. An act to divide the funds of the Chippewa Indians of Minnesota between the Red Lake Band and the remainder of the Chippewa Indians of Minnesota, organized as the Minnesota Chippewa Tribe;

H. R. 4668. An act for the relief of James Shimkunas;
H. R. 5166. An act to relinquish the title or interest of the United States in certain lands in Houston (formerly Dale) County, Ala., in favor of Jesse G. Whitfield or other lawful owners thereof;

H. R. 5592. An act to amend an act entitled "An act extending the homestead laws and providing for right-of-way for railroads in the district of Alaska, and for other purposes," approved May 14, 1898 (30 Stat. 409, 414);

H. R. 5957. An act for the relief of LeRoy W. Henry;

H. R. 6404. An act for the relief of Martin Bevilacqua;

H. R. 6508. An act for the relief of Gladys Legrow;

H. R. 6646. An act for the relief of Dr. A. J. Cottrell;

H. R. 6689. An act for the relief of George Rendell, Alice Rendell, and Mabel Rendell;

H. R. 6847. An act for the relief of the Berkeley County Hospital and Dr. J. N. Walsh;

H. R. 6936. An act for the relief of Joseph McDonnell;

H. R. 7421. An act for the relief of E. D. Frye;

H. R. 7560. An act to authorize alterations and repairs to certain naval vessels, and for other purposes;

H. R. 7639. An act for the relief of Al D. Romine and Ann Romine;

H. R. 7734. An act conferring jurisdiction upon the United States District Court for the Southern District of Ohio to hear, determine, and render judgment upon the claim of A. L. Eldridge;

H. R. 7761. An act for the relief of Sibbald Smith;

H. R. 7834. An act to amend the act entitled "An act to provide compensation for disability or death resulting from injuries to employees in certain employments in the District of Columbia, and for other purposes";

H. R. 7855. An act for the relief of Frieda White;

H. R. 7933. An act to facilitate the control of soil erosion and/or flood damage originating upon lands within the exterior boundaries of the San Bernardino and Cleveland National Forests in Riverside County, Calif.;

H. R. 8192. An act for the relief of Herbert Joseph Dawson;

H. R. 8193. An act for the relief of the Long Bell Lumber Co.;

H. R. 8665. An act to amend section 3336 of the Revised Statutes, as amended, pertaining to brewers' bonds, and for other purposes;

H. R. 8835. An act for the relief of Fred H. Kocor;

H. R. 9014. An act to authorize the conveyance to the Lane S. Anderson Post, No. 297, Veterans of Foreign Wars of the United States, of a parcel of land at lock No. 6, Kanawha River, South Charleston, W. Va.;

H. R. 9227. An act to amend an act entitled "An act to authorize boxing in the District of Columbia, and for other purposes";

H. R. 9374. An act for the relief of the Robert E. Lee Hotel;

H. R. 9417. An act to amend the District of Columbia Alcoholic Beverage Control Act;

H. R. 9523. An act to add certain lands to the Ochoco National Forest, Oreg.;

H. R. 9557. An act to authorize the Secretary of Commerce to dispose of material of the Bureau of Lighthouses to the sea scout department of the Boy Scouts of America;

H. R. 9611. An act to permit sales of surplus scrap materials of the Navy to certain institutions of learning;

H. R. 9683. An act to amend the act of June 25, 1910, relating to the construction of public buildings, and for other purposes;

H. R. 9848. An act to require that horses and mules belonging to the United States which have become unfit for service be destroyed or put to pasture;

H. R. 10154. An act to authorize the Secretary of War to lend War Department equipment for use at the 1938 National Encampment of Veterans of Foreign Wars of the United States to be held in Columbus, Ohio, from August 21 to August 26, 1938;

H. R. 10459. An act to amend certain provisions of law relative to the production of wines, brandy, and fruit spirits,

so as to remove therefrom certain unnecessary restrictions; to facilitate the collection of internal-revenue taxes thereupon; and to provide abatement of certain taxes upon wines, brandy, and fruit spirits where lost or evaporated while in the custody and under the control of the Government without any fault of the owner;

H. R. 10462. An act to amend the act entitled "An act creating the Mount Rushmore National Memorial Commission and defining its purposes and powers," approved February 25, 1929, as amended;

H. R. 10488. An act to provide for allowing to the Gem irrigation district and Ontario-Nyssa irrigation district of the Owyhee project terms and payment dates for charges deferred under the Reclamation Moratorium Acts similar to those applicable to the deferred construction charges of other projects under said acts, and for other purposes; and

H. R. 10722. An act to authorize the attendance of the Marine Band at the national encampment of the Grand Army of the Republic to be held at Des Moines, Iowa, September 4 to 8, inclusive, 1938.

On June 16, 1938:

H. R. 1744. An act for the relief of Grant H. Pearson, G. W. Pearson, John C. Rumohr, and Wallace Anderson;

H. R. 4258. An act for the relief of Barbara Jean Matthews, a minor;

H. R. 5904. An act for the relief of L. P. McGown;

H. R. 6243. An act to authorize a survey of the old Indian trail and the highway known as "Oglethorpe Trail" with a view of constructing a national roadway on this route to be known as the "Oglethorpe National Trail and Parkway";

H. R. 6246. An act to provide for placing educational orders to familiarize private manufacturing establishments with the production of munitions of war of special or technical design, noncommercial in character;

H. R. 6950. An act for the relief of Andrew J. McGarraghy;

H. R. 7040. An act for the relief of Forest Lykins;

H. R. 7158. An act to except yachts, tugs, towboats, and unrigged vessels from certain provisions of the act of June 25, 1936, as amended;

H. R. 7297. An act for the relief of Gordon L. Cheasley;

H. R. 7548. An act for the relief of J. Lafe Davis and the estate of Mrs. J. Lafe Davis;

H. R. 7590. An act to quiet title and possession to certain islands in the Tennessee River in the counties of Colbert and Lauderdale, Ala.;

H. R. 7606. An act for the relief of Albert Richard Jeske;

H. R. 7817. An act for the relief of C. G. Bretting Manufacturing Co.;

H. R. 7880. An act to amend Veterans' Regulation No. 10, pertaining to "line of duty" for peacetime veterans, their widows and dependents, and for other purposes;

H. R. 7998. An act for the relief of The First National Bank & Trust Co. of Kalamazoo, Kalamazoo, Mich.;

H. R. 8134. An act to quiet title and possession to certain lands in the Tennessee River in the counties of Colbert and Lauderdale, Ala.;

H. R. 8252. An act to quiet title and possession to a certain island in the Tennessee River in the county of Lauderdale, Ala.;

H. R. 8275. An act for the relief of Stanley Kolitzoff and Marie Kolitzoff;

H. R. 8376. An act for the relief of James D. Larry, Sr.;

H. R. 8543. An act for the relief of Earl J. Lipscomb;

H. R. 8565. An act defining the compensation of persons holding positions as deputy clerks and commissioners of United States district courts, and for other purposes;

H. R. 8673. An act for the relief of certain persons at certain projects of the Farm Security Administration, United States Department of Agriculture;

H. R. 8743. An act for the relief of Louis Michael Bregantic;

H. R. 8773. An act to authorize the Secretary of the Interior to dispose of surplus buffalo and elk of the Wind Cave National Park herd, and for other purposes;

H. R. 8916. An act for the relief of N. W. Ludowese;

H. R. 9200. An act for the relief of Filomeno Jimenez and Felicitas Dominguez;

H. R. 9201. An act for the relief of the Federal Land Bank of Berkeley, Calif., and A. E. Colby;

H. R. 9203. An act for the relief of certain postmasters and certain contract employees who conducted postal stations;

H. R. 9214. An act for the relief of C. O. Hall;

H. R. 9258. An act to authorize the Secretary of the Navy to accept on behalf of the United States certain land in the city of Los Angeles, Calif., with improvements thereon;

H. R. 9400. An act for the relief of Adolph Arendt;

H. R. 9475. An act to create a commission to procure a design for a flag for the District of Columbia, and for other purposes;

H. R. 9610. An act to amend the National Firearms Act;

H. R. 9707. An act to authorize the conveyance of the old lighthouse keeper's residence in Manitowoc, Wis., to the Otto Oas Post, No. 659, Veterans of Foreign Wars of the United States, Manitowoc, Wis.;

H. R. 10155. An act to permit articles imported from foreign countries for the purpose of exhibition at the Seventh World's Poultry Congress and Exposition, Cleveland, Ohio, 1939, to be admitted without payment of tariff, and for other purposes;

H. R. 10238. An act making appropriations for the Department of Agriculture and for the Farm Credit Administration for the fiscal year ending June 30, 1939, and for other purposes;

H. R. 10312. An act to amend section 3 of the act entitled "An act to protect the lives and health and morals of women and minor workers in the District of Columbia, and to establish a Minimum Wage Board, and to define its powers and duties, and to provide for the fixing of minimum wages for such workers, and for other purposes," approved September 19, 1918 (40 Stat. 961, 65th Cong.);

H. R. 10346. An act to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Niobrara, Nebr.;

H. R. 10652. An act to provide for the ratification of all joint resolutions of the Legislature of Puerto Rico and of the former legislative assembly;

H. R. 10672. An act to amend section 4197 of the Revised Statutes, as amended (U. S. C., 1934 ed., title 46, sec. 91), and section 4200 of the Revised Statutes (U. S. C., 1934 ed., title 46, sec. 92), and for other purposes; so as to correct a typographical error.

H. R. 10673. An act to exempt the property of the Young Women's Christian Association in the District of Columbia from national and municipal taxation;

H. R. 10772. An act to amend certain sections of the act entitled "An act providing for the public printing and binding and the distribution of public documents," approved January 12, 1895, as amended;

H. J. Res. 631. Joint resolution to provide for the erection of a monument to the memory of Gen. Peter Gabriel Muhlenberg;

H. J. Res. 655. Joint resolution amending paragraph (4) of subsection (n) of section 12B of the Federal Reserve Act, as amended;

H. J. Res. 683. Joint resolution to provide for a floor-stock tax on distilled spirits, except brandy; and

H. J. Res. 688. Joint resolution creating the Niagara Falls Bridge Commission and authorizing said commission and its successors to construct, maintain, and operate a bridge across the Niagara River at or near the city of Niagara Falls, N. Y. On June 20, 1938:

H. R. 152. An act to add certain lands to the Rio Grande National Forest, Colo.;

H. R. 1252. An act for the relief of Ellen Kline;

H. R. 1995. An act to add certain lands on the island of Hawaii to the Hawaii National Park, and for other purposes;

H. R. 7826. An act to make available for national-park purposes certain lands within the boundaries of the proposed Isle Royale National Park, and for other purposes;

H. R. 7982. An act to regulate the manufacturing, dispensing, selling, and possession of narcotic drugs in the District of Columbia;

H. R. 8165. An act to add certain lands to the Trinity National Forest, Calif.;

H. R. 9844. An act providing for the zoning of the District of Columbia, and the regulation of the location, height, bulk, and uses of buildings and other structures and of the use of land in the District of Columbia, and for other purposes;

H. R. 10298. An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes;

H. R. 10846. An act to create the office of the Librarian Emeritus of the Library of Congress;

H. J. Res. 620. Joint resolution for the observance of the celebration of the one hundred and twenty-fifth anniversary of the Battle of Lake Erie;

H. J. Res. 711. Joint resolution providing for the filling of a vacancy in the Board of Regents of the Smithsonian Institution of the class other than Members of Congress; and

H. J. Res. 712. Joint Resolution providing for the filling of a vacancy in the Board of Regents of the Smithsonian Institution of the class other than Members of Congress.

On June 21, 1938:

H. R. 6586. An act to regulate the transportation and sale of natural gas in interstate commerce, and for other purposes;

H. R. 8480. An act for the relief of Commander James T. Mathews;

H. R. 10536. An act authorizing the United States Maritime Commission to sell or lease the Hoboken Pier Terminals, or any part thereof, to the city of Hoboken, N. J.;

H. J. Res. 679. Joint resolution making appropriations for work relief, relief, and otherwise to increase employment by providing loans and grants for public-works projects.

On June 22, 1938:

H. R. 4717. An act for the relief of Bernard Knopp;

H. R. 5260. An act for the relief of Col. William H. Noble;

H. R. 5615. An act for the relief of the administrator of the estate of Capt. B. B. Barbee;

H. R. 6952. An act for the relief of Hattie Doudna;

H. R. 7520. An act for the relief of members of the Navy or Marine Corps who were discharged from the Navy or Marine Corps during the Spanish-American War, the Philippine Insurrection, and the Boxer uprising because of minority or misrepresentation of age;

H. R. 7607. An act for the relief of Frank B. Decker;

H. R. 7688. An act to authorize the addition of certain lands to the Modoc, Shasta, and Lassen National Forests, Calif.;

H. R. 7689. An act to authorize the addition of certain lands to the Shasta and Klamath National Forests, Calif.;

H. R. 7690. An act to authorize the addition of certain lands to the Plumas, Tahoe, and Lassen National Forests, Calif.;

H. R. 7764. An act to authorize the sale of surplus power developed under the Uncompahgre Valley reclamation project, Colorado.

H. R. 7793. An act for the relief of Nicholas de Lipski;

H. R. 8046. An act to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto; and to repeal section 76 thereof and all acts and parts of acts inconsistent therewith;

H. R. 8571. An act granting 6 months' pay to Mrs. Vallie M. Current;

H. R. 9801. An act to provide for the retirement, rank, and pay of Chiefs of Naval Operations, Chiefs of Bureau of the Navy Department, the Judge Advocates General of the Navy, and the Major Generals Commandant of the Marine Corps;

H. R. 9888. An act for the relief of William Henry Johnston, Jr., a minor.

H. R. 9916. An act to provide for the establishment of a Coast Guard station at or near Shelter Cove, Calif.;

H. J. Res. 699. Joint resolution to amend sections 101, 102, 103, 104, and 859 of the Revised Statutes of the United States relating to congressional investigations; and

H. J. Res. 703. Joint resolution to authorize the acceptance of title to the dwelling house and property, the former residence of the late Justice Oliver Wendell Holmes, located at 1720 Eye Street NW., in the District of Columbia, and for other purposes.

On June 23, 1938:

H. R. 447. An act for the relief of Alpha Vint;

H. R. 1141. An act for the relief of J. W. Beams;

H. R. 1250. An act for the relief of Emilie Dew, Jack Welsh, Mary Jane Bowden, and Henry U. Gaines, Jr.;

H. R. 2191. An act for the relief of Roberta Carr;

H. R. 2362. An act for the relief of Henry M. Hyer;

H. R. 2560. An act for the relief of the State of New York Insurance Department, as liquidator;

H. R. 2650. An act for the relief of Veracunda O'Brien Allen;

H. R. 2779. An act for the relief of Lilly Bundgard and Gloria Bundgard;

H. R. 4032. An act for the relief of the New Amsterdam Casualty Co.;

H. R. 4830. An act for the relief of Mrs. D. O. Benson;

H. R. 5153. An act for the relief of George F. Anderson and Vera D. Anderson;

H. R. 5597. An act for the relief of Luigi Mazza;

H. R. 6186. An act for the relief of Moses Red Bird;

H. R. 6296. An act for the relief of Dr. A. C. Antony and others;

H. R. 6618. An act for the relief of Miriam Grant;

H. R. 6727. An act for the relief of Edward E. Brown, Charles Walker, Frank Parr, John Moyer, and Lynford P. Fowles;

H. R. 6846. An act for the relief of Harvey and Carrie Robinson;

H. R. 7012. An act for the relief of J. Anse Little;

H. R. 7060. An act for the relief of James Mohin and Joseph Lercara;

H. R. 7166. An act for the relief of the estate of Raymond Finklea;

H. R. 7344. An act for the relief of Eddie Walker;

H. R. 7460. An act for the relief of Mr. and Mrs. Roy Blessing;

H. R. 7693. An act to authorize the Secretary of War to transfer to the Government of Puerto Rico certain real estate of the War Department;

H. R. 7874. An act to provide for the leasing of State, county, and privately owned lands for the purpose of furthering the orderly use, improvement, and development of grazing districts;

H. R. 7960. An act for the relief of Wilma Artopoulos;

H. R. 8123. An act for the relief of Sonia M. Bell;

H. R. 8241. An act for the relief of Fred J. Christoff;

H. R. 8391. An act for the relief of Frances M. Heinzelmann;

H. R. 8479. An act for the relief of Jane Murrah;

H. R. 8492. An act for the relief of Robert Doty, a minor;

H. R. 8544. An act for the relief of Alba C. Mitchell;

H. R. 8858. An act for the relief of Joseph Brum and Gusie Brum;

H. R. 9130. An act for the relief of Marshall Carver;

H. R. 9196. An act for the relief of J. T. Burt and Alice Burt;

H. R. 9674. An act for the relief of John Borowski, Benjamin H. Hammack, and Eber A. Wean;

H. R. 9825. An act for the relief of Raymond Pledger and Thomas P. Giacomini, Jr.;

H. R. 9981. An act for the relief of the State of Connecticut;

H. R. 9997. An act to regulate the distribution, promotion, and retirement of officers of the line of the Navy, and for other purposes;

H. R. 10315. An act to amend the Merchant Marine Act, 1936, to further promote the merchant marine policy therein declared, and for other purposes; and

H. R. 10785. An act to amend the Perishable Agricultural Commodities Act, 1930, as amended.

On June 24, 1938:

H. R. 2149. An act for the relief of Capt. Guy L. Hartman;

H. R. 2358. An act for the relief of Dwain D. Miles;

H. R. 2368. An act for the relief of the estate of Catherine Harkins, deceased, and

H. R. 5763. An act to provide for the extension of the boundaries of the Hot Springs National Park in the State of Arkansas, and for other purposes.

On June 25, 1938:

H. R. 599. An act for the relief of W. J. Steckel;

H. R. 1531. An act extending the classified civil service to include postmasters of the first, second, and third classes, and for other purposes;

H. R. 1861. An act for the relief of the firm of Schmidt, Garden & Martin, architects, of Chicago, Ill.;

H. R. 1872. An act for the relief of Martin Bridges;

H. R. 2231. An act for the relief of Charles E. Black;

H. R. 2429. An act for the relief of Eugene Nicholas;

H. R. 2665. An act for the relief of W. D. Presley;

H. R. 2767. An act for the relief of George L. Stone;

H. R. 3225. An act for the relief of Roland Stafford;

H. R. 3610. An act to adjust the salaries of rural letter carriers;

H. R. 3747. An act for the relief of George O. Wills;

H. R. 4169. An act to carry out the findings of the Court of Claims in the case of the Atlantic Works, of Boston, Mass.;

H. R. 4227. An act for the relief of Mrs. R. A. Smith;

H. R. 4367. An act for the relief of Perry Walker;

H. R. 5308. An act for the relief of Anna Caporaso;

H. R. 5379. An act for the relief of Mrs. B. E. Hennigan and her dependent minor children;

H. R. 5471. An act to amend the laws relating to the distribution of public documents to depository libraries;

H. R. 5690. An act to amend the Longshoremen's and Harbor Workers' Compensation Act;

H. R. 5805. An act to amend an act entitled "An act to provide for the exercise of sole and exclusive jurisdiction by the United States over the Hawaiian National Park in the Territory of Hawaii, and for other purposes," approved April 19, 1930;

H. R. 6016. An act for the relief of Lavina Karns;

H. R. 6327. An act for the relief of Edward J. Thompson;

H. R. 6461. An act for the relief of William F. Bourland;

H. R. 6669. An act for the relief of Augusta L. Collins;

H. R. 6710. An act conferring jurisdiction upon the United States District Court for the Eastern District of Louisiana to hear, determine, and render judgment upon the claims of Anna Lee Hebert, Mrs. Nicholas Hebert, Mr. and Mrs. Dossie E. Worrell, Mr. and Mrs. C. B. McClure, and W. F. Cobb;

H. R. 6753. An act for the relief of the Derby Oil Co.;

H. R. 6842. An act for the relief of Frank M. Schmitt, Antonio Salas, Victoria Griego, and Victor Coco;

H. R. 7143. An act for the relief of the Curtiss Aeroplane & Motor Co., Inc.;

H. R. 7198. An act for the relief of Fred Johnson;

H. R. 7424. An act for the relief of certain persons whose cotton was destroyed by fire in the Ouachita Warehouse, Camden, Ark.;

H. R. 7429. An act for the relief of Muriel C. Young;

H. R. 7537. An act for the relief of certain stevedores employed on the United States Army transport docks in San Francisco, Calif.;

H. R. 7759. An act for the relief of Susan Lawrence Davis;

H. R. 7844. An act to amend the act of Congress entitled "An act to establish an Alaska Game Commission, to protect game animals, land fur-bearing animals, and birds in Alaska, and for other purposes," approved January 13, 1925, as amended;

H. R. 7868. An act to provide for conveying to the State of North Dakota certain lands within Burleigh County, within that State, for public use;

H. R. 7890. An act for the relief of Brooks-Callaway Co.;

H. R. 8051. An act for the relief of Roswell H. Haynie;

H. R. 8055. An act for the relief of Helry P. McCaig;

H. R. 8098. An act conferring jurisdiction upon the Court of Claims to hear and determine the claims of Edward Forbes and others;

H. R. 8099. An act to amend certain administrative provisions of the Tariff Act of 1930, and for other purposes;

H. R. 8365. An act for the relief of the North Mississippi Oil Mills of Holly Springs, Miss.;

H. R. 8375. An act for the relief of Roscoe B. Huston;

H. R. 8380. An act for the relief of Glenn R. Martin;

H. R. 8417. An act for the relief of John B. Dollison;

H. R. 8423. An act for the relief of Frank W. Lohn;

H. R. 8424. An act for the relief of John F. Dailey and Ethel M. Dailey;

H. R. 8271. An act to confer jurisdiction upon the Court of Claims of the United States to hear, determine, and render judgment upon the claims of the attorneys for the Russian Volunteer Fleet;

H. R. 8643. An act for the relief of Kate Durham Thomas;

H. R. 8672. An act for the relief of Fergus County, Mont.;

H. R. 8683. An act for the relief of Gus Vakas;

H. R. 8696. An act for the relief of Ruby Z. Winslow;

H. R. 8723. An act for the relief of Spencer D. Albright, Jr.;

H. R. 9084. An act for the relief of John Lawson and Roy Webb;

H. R. 9142. An act for the relief of J. J. B. Hilliard & Son;

H. R. 9215. An act for the relief of the Read Machinery Co., Inc.;

H. R. 9277. An act for the relief of James M. Wright;

H. R. 9297. An act for the relief of Dr. Samuel A. Riddick;

H. R. 9516. An act for the relief of J. T. Herren and Billie Herren, a minor;

H. R. 9535. An act for the relief of Amy M. Ghent;

H. R. 9640. An act for the relief of Shoshone Garage;

H. R. 9721. An act authorizing the disbursement of funds appropriated for compensation of help for care of material, animals, armament, and equipment in the hands of the National Guard of the several States, Territories, and the District of Columbia, and for other purposes;

H. R. 9795. An act for the relief of Michael J. Muldowney;

H. R. 9881. An act to amend section 23 of the act to create the California Debris Commission, as amended;

H. R. 10043. An act for the relief of employees of the Works Progress Administration whose tools and personal property were damaged or destroyed by fire at Roosevelt Stadium, Jersey City, N. J.;

H. R. 10127. An act to regulate interstate commerce by establishing an unemployment-insurance system for individuals employed by certain employers engaged in interstate commerce, and for other purposes;

H. R. 10171. An act to amend the act entitled "An act giving jurisdiction to the Court of Claims to hear and determine the claim of the Butler Lumber Co., Inc.";

H. R. 10432. An act to amend an act approved June 14, 1906 (34 Stat. 263), entitled "An act to prevent aliens from fishing in the waters of Alaska";

H. R. 10594. An act to provide for the creation, organization, administration, and maintenance of a Naval Reserve and a Marine Corps Reserve;

H. R. 10642. An act to amend an act entitled "District of Columbia Alley Dwelling Act," approved June 12, 1934, and for other purposes;

H. R. 10851. An act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1938, and for prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1938, and June 30, 1939, and for other purposes;

H. R. 10907. An act to provide for the vesting of title, and the disposition of personal property left or found upon premises used as Veterans' Administration facilities, and for other purposes; and

H. J. Res. 702. Joint resolution to provide that the United States extend to foreign governments invitations to participate in the Third International Congress for Microbiology to be held in the United States during the calendar year 1939, and to authorize an appropriation to assist in meeting the expenses of the session.

On June 28, 1938:

H. R. 1299. An act for the relief of William E. Rich;

H. R. 1768. An act for the relief of Olin J. Salley;

H. R. 3162. An act conferring jurisdiction upon the United States Court of Claims to hear, examine, adjudicate, and render judgment on any and all claims which the Ute Indians or any tribe or band thereof may have against the United States, and for other purposes;

H. R. 3761. An act for the relief of Dudley E. Essary;

H. R. 4115. An act for the relief of Roy M. Young;

H. R. 4540. An act authorizing the Red Lake Band of Chippewa Indians in the State of Minnesota to file suit in the Court of Claims, and for other purposes;

H. R. 4691. An act for the relief of Pompeo Ercolano;

H. R. 5804. An act to provide for the residence of the United States commissioners appointed for the national parks, and for other purposes;

H. R. 6820. An act for the relief of Elizabeth Vresh (Yalga Vres), her son, Frederick Vresh, and her daughter, Sylvia Vresh Bronowitz;

H. R. 7515. An act to authorize the sale of certain lands of the Eastern Band of Cherokee Indians, North Carolina;

H. R. 8434. An act to liberalize the laws providing pensions for the dependents of veterans whose death resulted from service prior to April 21, 1898;

H. R. 9731. An act for the relief of James J. Coyne;

H. R. 10135. An act for the relief of James Philip Coyle;

H. R. 10136. An act for the relief of John Patrick Toth;

H. R. 10339. An act for the relief of Isaac Friedlander;

H. R. 10618. An act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes;

H. R. 10752. An act to authorize Federal cooperation in the acquisition of the "Muir Wood Toll Road," located in Marin County, State of California, and for other purposes;

H. R. 10866. An act authorizing the States of Minnesota and Wisconsin, jointly or separately, to construct, maintain, and operate a free highway bridge across the Mississippi River at or near Winona, Minn.;

H. R. 10895. An act to amend the act approved August 16, 1937, entitled "An act conferring jurisdiction upon the United States District Court for the Middle District of Georgia to hear, determine, and render judgment upon the claims of the estates of Marshall Campbell and Raymond O'Neal"; and

H. J. Res. 281. Joint resolution to authorize sales and exchanges by the State of Wisconsin notwithstanding certain provisions in the act of August 22, 1912 (37 Stat. 324).

On June 29, 1938:

H. R. 342. An act for the relief of H. Ward Bell;

H. R. 344. An act for the relief of Ford O. Gotham and James McCumber;

H. R. 347. An act for the relief of W. Glenn Larmonth;

H. R. 1251. An act for the relief of Anna L. Andreas and Anita Andreas;

H. R. 2646. An act for the relief of Isabella Hooper Caraway and James Randolph Hooper, a minor;

H. R. 3961. An act for the relief of the estate of Benjamin A. Pillsbury (William J. Pillsbury, executor);

H. R. 4996. An act for the relief of Sue Van Ryn; Donald A. Van Ryn, a minor; and the estate of Margaret Breseman, deceased;

H. R. 6168. An act to amend section 239 of the act of June 8, 1872 (17 Stat. 312; U. S. C., title 39, sec. 500);

H. R. 6178. An act to abolish appeals in habeas corpus proceedings brought to test the validity of orders of removal;

H. R. 6591. An act to exempt from cancellation certain desert-land entries in Riverside County, Calif.;

H. R. 6805. An act for the relief of William Moseley;

H. R. 6925. An act to provide for a national cemetery in every State;

H. R. 7039. An act for the relief of Paul Hirschmann;

H. R. 7084. An act to provide that all cabs for hire in the District of Columbia be compelled to carry insurance for the protection of passengers, and for other purposes;

H. R. 7144. An act for the relief of the Curtiss Aeroplane & Motor Co., Inc.;

H. R. 7294. An act for the relief of Bartholemew Harrington;

H. R. 7369. An act to validate certain certificates of naturalization granted by the United States District Court for the District of Hawaii;

H. R. 7854. An act for the relief of Joseph Gross;

H. R. 8047. An act to amend the Meat Inspection Act of March 4, 1907, as amended and extended, with respect to its application to farmers, retail butchers, and retail dealers;

H. R. 8199. An act for the relief of Mrs. Olive Fletcher Conklin;

H. R. 8753. An act for the relief of the Choctaw Cotton Oil Co., of Ada, Okla.;

H. R. 9012. An act for the relief of Joseph Webbe;

H. R. 9132. An act for the relief of Celia Koehler;

H. R. 9133. An act for the relief of William Monroe;

H. R. 9135. An act for the relief of Emmons Wolfer;

H. R. 9199. An act for the relief of Helen M. Krekler and the estate of Kemp Plummer;

H. R. 9282. An act for the relief of the estate of D. B. Carter;

H. R. 9543. An act for the relief of Mr. and Mrs. Harold E. Theriault;

H. R. 9569. An act for the relief of Charles P. McCarthy;

H. R. 9739. An act to amend the Interstate Commerce Act, as amended, by amending certain provisions of part II of said act, otherwise known as the Motor Carrier Act, 1935;

H. R. 9859. An act for the relief of Victor H. Todaro;

H. R. 9868. An act for the relief of Harry J. Somerville;

H. R. 10024. An act to establish the Olympic National Park, in the State of Washington, and for other purposes;

H. R. 10380. An act to amend the act entitled "An act to incorporate the Society of American Florists and Ornamental Horticulturists within the District of Columbia";

H. R. 10506. An act to extend the times for commencing and completing the construction of a bridge across the Mississippi River between St. Louis, Mo., and Stites, Ill.;

H. R. 10507. An act to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near a point between Morgan and Wash Streets, in the city of St. Louis, Mo., and a point opposite thereto in the city of East St. Louis, Ill.;

H. R. 10527. An act for the relief of the American National Bank, of Kalamazoo, Mich.;

H. R. 10540. An act to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Arrow Rock, Mo.;

H. R. 10610. An act granting the consent of Congress to the Iowa State Highway Commission to reconstruct or construct, maintain, and operate a free highway bridge across the Des Moines River at or near Keosauqua, Iowa;

H. R. 10670. An act to extend the times for commencing and completing the construction of a bridge across the Wabash River at or near Merom, Sullivan County, Ind.;

H. R. 10777. An act authorizing the village of Baudette, State of Minnesota, its successors and assigns, to construct, maintain, and operate a bridge across the Rainy River at Baudette, Minn.;

H. R. 10835. An act to authorize the county of Kauai to issue bonds of such county in the year 1938 under the authority of Act 186 of the Session Laws of Hawaii, 1937, in excess

of 1 percent of the assessed value of the property in said county as shown by the last assessment for taxation;

H. R. 10873. An act to authorize the conveyance to the Arthur Alexander Post, No. 68, the American Legion, of Belzoni, Miss., of the improvements and site containing 18 acres of land, more or less, at lock and dam No. 1 on the Sunflower River, Miss.;

H. J. Res. 551. Joint resolution providing compensation for certain employees;

H. J. Res. 681. Joint resolution to amend the Naturalization Act of June 29, 1906 (34 Stat. 596), as amended;

H. J. Res. 707. Joint resolution requesting the President of the United States to proclaim the week of May 31, 1939, National Flood Prevention Week;

H. J. Res. 714. Joint resolution for the relief of certain aliens; and

H. J. Res. 723. Joint resolution to amend H. R. 10672, Seventy-fifth Congress, third session, entitled "An act to amend section 4197 of the Revised Statutes, as amended (U. S. C., 1934 ed., title 46, sec. 91), and section 4200 of the Revised Statutes (U. S. C., 1934 ed., title 46, sec. 92), and for other purposes," so as to correct a typographical error.

On June 30, 1938:

H. R. 667. An act to correct the records of the War Department to show that Guy Carlton Baker and Calton C. Baker or Carlton C. Baker is one and the same person;

H. R. 9171. An act directing the Court of Claims to reopen certain cases and to correct the errors therein, if any, by additional judgments against the United States;

H. R. 10605. An act to authorize the appropriation of funds for the development of rotary-wing and other aircraft; and

H. R. 10632. An act authorizing the Port Authority of Duluth, Minn., and the Harbor Commission of Superior, Wis., to construct a highway bridge across the St. Louis River from Rices Point in Duluth, Minn., to Superior, in Wisconsin.

DISAPPROVAL OF HOUSE BILLS

The President of the United States, subsequent to the final adjournment of the third session of the Seventy-fifth Congress, transmitted to the Clerk of the House of Representatives a list of House bills and a House joint resolution disapproved by him, with his reasons for such action, as follows:

H. R. 146. I find it necessary to withhold my approval of the bill H. R. 146 to require contractors on public-building projects to name their subcontractors, materialmen, and supply men, and for other purposes.

This bill apparently is intended to prevent so-called "bid shopping" practices of general contractors which appear to be prevalent in connection with public-building contracts of the Federal Government. The proposed requirement is that all contracts in excess of \$5,000, for the construction, alteration, or repair of any public building of the United States or of the District of Columbia—

Shall be awarded only to bidders whose bids are submitted within 60 days after the date of the invitation for bids, and are accompanied by a statement containing the names and addresses of the subcontractors, material men, and supply men whose services the bidder intends to utilize in the performance of the work—

Except with respect to subcontracts not exceeding \$500. A further requirement is that all general contracts of this character shall—

Contain provisions for withholding from, or payment by, the contractor of such penalties as may be fixed in the contract for failure to utilize such subcontractors, material men, and supply men in the performance of the work, as well as for failure to pay such subcontractors, material men, and supply men (in proportion to the amounts due them, respectively, in relation to the amount due the contractor on any payment date), as the contractor is paid by the United States.

These penalties may be remitted or refunded only if it is shown to the satisfaction of the head of the contracting Federal agency—

That substitution for a subcontractor, material man, or supply man, as the case may be, was justified by reason of the inability or unwillingness of such subcontractor, material man, or supply

man to furnish the materials or supplies, or properly to perform the work, as the case may be, in accordance with previous agreements.

It will be noted that the provision quoted above for the imposition of penalties for failure of the general contractor to make prompt payment to subcontractors during the performance of his contract presents a second and distinct purpose designed to be accomplished by the bill. There is no provision for the remission of a penalty imposed on this ground.

While I recognize the evils of "bid-shopping" and favor any provision which will promote the prompt payment of the obligations of contractors for labor and materials, it is believed that this bill will have no tendency to accomplish either of its objects and will merely create a multitude of administrative difficulties. The provisions for the imposition of penalties, apart from their failure to provide any formula or guide to be followed in fixing the amount of such penalties, are also believed unfair to general contractors in several respects.

I believe that the enactment of this bill would greatly hamper the administration of the new public building and public-works programs and would result in many unavoidable delays in getting these programs under way. First, the bill makes it mandatory to allow a period of 60 days between advertisements and openings of bids, an unnecessary length of time. Second, the administrative difficulties bound to arise because of its provisions may well necessitate the re-advertisement of many projects, apart from those to be expected after contracts are awarded. I do not feel that the objects of the bill are of sufficient importance to justify the retarding of these programs, even if there were a substantial likelihood that the bill would effectively promote them.

Nor will these objects justify the increased cost of Government construction, impossible to estimate because of the many uncertainties presented by the bill, but, I feel sure, inevitably to follow from its enactment. Legislation to accomplish these objects, however desirable, should not, in my opinion, be at the expense of the Government or tend to confusion and delay in Government construction.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, June 25, 1938.

H. R. 656. I have withheld my approval of H. R. 656, entitled "An act for the relief of Elmer W. Haas."

This bill provides that in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Elmer W. Haas be held and considered to have been enlisted May 5, 1898, in Company H, Twenty-first Regiment Kansas Volunteer Infantry, and honorably discharged from said company on August 4, 1898.

The official records show that Elmer Haas was enrolled as a private of Company H, Twenty-first Kansas Infantry; that he was treated for measles and typhoid fever and acute colitis between May 22 and July 25, 1898; and that he was dropped from the rolls of the company July 29, 1898, at Camp Thomas, Ga., as having been erroneously taken up before his second physical examination, at which time he was rejected. Not having been mustered into service, his medical treatment was as a recruit.

I note from the legislative history of the case that the claimant considers himself a member of Company H, Twenty-first Kansas Infantry, because he wore a uniform and had medical treatment. However, the Secretary of War informs me that in the absence of any record of his muster in, service, payment for service, or discharge, he is not regarded as having been in the military service of the United States as a member of that organization. He never attained the status of a soldier.

To approve this act would be a direct discrimination against many other persons who have claimed service with the military forces and who did not occupy a military status.

The Secretary of War strongly recommends that this act be not favorably considered, and I find nothing in the facts

of the case or in the report of the committee which would justify different action on my part.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, June 29, 1938.

H. R. 733. I have withheld approval of H. R. 733, entitled "An act for the relief of George E. Titter."

It is proposed by said act to authorize and direct the Secretary of the Treasury to pay the sum of \$10,000 to Mr. George E. Titter, Chesapeake City, Md., in full settlement of all claims arising from the construction by the War Department of a wharf in front of his land, which, it is stated, made the property inaccessible.

In the performance of work incident to the improvement of the Chesapeake & Delaware Canal, authorized by Congress in the River and Harbor Act of March 2, 1919, it became necessary in the interest of navigation to construct mooring dolphins in the navigable waters of the canal in front of the property of Agnes A. Titter, mother of George E. Titter. The moorings consisted of a row of pile dolphins connected by a walkway, and were placed below the high-water mark under the authority of the United States in the interest of navigation.

Mrs. Titter's property was separated from the navigable channel in the canal by a mud flat, which was bare at low tide. This condition, combined with the presence of the mooring dolphins, precluded any substantial use of the water front of her property. However, her son was advised by the War Department on August 22, 1931, that should he desire to develop the property so as to permit its utilization by navigation, the piling would be removed or modified in such a way as to afford convenient access to the water front. No request for modification of the obstruction was received by the War Department.

Since then, in 1937, the entire tract of water-front property has been acquired by the War Department through condemnation proceedings from Mrs. Titter at a cost of \$5,500.

The chain of title to the property in question does not disclose ownership at any time by George E. Titter, and the record does not indicate that either Agnes A. Titter or George E. Titter has suffered any damage for which the United States may properly be held liable. I conclude that payment of the proposed amount is not a justifiable charge against public funds on either a legal or equitable basis.

For the above reasons I am withholding my approval of enrolled enactment H. R. 733.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, June 25, 1938.

H. R. 736. I have withheld approval of H. R. 736, entitled "An act for the relief of Mallery Toy."

It is proposed by said act to authorize and direct the Secretary of the Treasury to pay to Mallery Toy, of Chesapeake City, Md., the sum of \$5,000 in settlement of all claims against the United States for injuries sustained by reason of the depositing of dredged material by the War Department on and in front of land owned by Mr. Toy.

The War Department records indicate that, during the construction of the Chesapeake & Delaware Canal, certain dredged material was deposited on and in front of the land owned by Mr. Toy. Although the United States was within its legal rights in depositing dredged material between high- and low-water marks, before any material was deposited on this property, Mr. Toy was contacted and he stated verbally that he had no objection to the proposed operations by the Government. The change of the natural original condition of the mud flats by the deposition of the spoil was slight. Instead of causing any damage to the riparian rights of Mr. Toy, the placing of the dredged material on the mud flats below the high-water mark was an improvement rather than a detriment to Mr. Toy's property, for the reason that the act of the Government extended the land above the high-water mark channelward, thereby increasing the acreage of

the land then owned by Mr. Toy and subject to sale or transfer by deed.

In the absence of protest or other indication by Mr. Toy that he objected to the action of the Government, it was considered that such action was satisfactory to him. However, a bill (H. R. 7842) was introduced January 15, 1932 (72d Cong., 1st sess.), which provided for payment to Mr. Toy in the amount of \$5,000 in settlement of all claims against the United States arising from injuries sustained by reason of the depositing of dredged material and the placing of dolphins on and in front of land owned by Mr. Toy. Under date of April 12, 1932, the Secretary of War addressed a report to the chairman, Committee on Claims, House of Representatives, in which the facts recited above were set forth and recommended that the proposed legislation be not passed. The measure appears to have died at that time.

In 1937 the property referred to in H. R. 736, the present bill, was acquired by the United States through condemnation proceedings. The highest United States appraisal for this land was \$1,270. The award under condemnation proceedings was in the amount of \$3,500. Since the property has been purchased through condemnation at a cost in excess of the highest United States appraisal, and in the absence of any specific showing that any damage was done to this property through action of the Government for which the United States may properly be held liable, it is not considered that the sum of \$5,000 proposed to be paid to Mr. Toy by H. R. 736 is a proper charge against public funds.

For the above reasons I am withholding my approval of enrolled enactment H. R. 736.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, June 25, 1938.

H. R. 738. I have withheld approval of H. R. 738, entitled "An act for the relief of Asa C. Ketcham."

It is proposed by said act to authorize and direct the Secretary of the Treasury to pay the sum of \$1,000 in full satisfaction of the claim of Asa C. Ketcham, Fairmount, Md., for loss of his vessel, *J. J. Underhill*, which was beached in August 1933.

The vessel *J. J. Underhill*, loaded with oyster shells, ran into a submerged pile while approaching a dock in Alexandria, Va., on June 17, 1933. It was ascertained that Mr. Ketcham had never previously visited the dock. Instead of using the regular channel leading thereto, he steered his boat into an area in which there were numerous piles, the remains of an old wharf. Mr. Ketcham subsequently requested aid from the Commissioners of the District of Columbia, who furnished a tug and a fireboat. The *J. J. Underhill* was pumped out, and it was towed toward a marine railway in Washington Channel. As it entered the channel the vessel commenced to leak and sank in about 20 feet of water. In its sunken position it constituted a serious interference to navigation as would warrant its immediate removal by the War Department.

Section 20 of the River and Harbor Act of March 3, 1899, provides—

That under emergency, in the case of any vessel, boat, water craft, or raft, or other similar obstruction, sinking or grounding, or being unnecessarily delayed in any Government canal or lock, or in any navigable waters mentioned in section 19, in such manner as to stop, seriously interfere with, or specially endanger navigation, in the opinion of the Secretary of War, or any agent of the United States to whom the Secretary may delegate proper authority, the Secretary of War or any such agent shall have the right to take immediate possession of such boat, vessel, or other water craft, or raft, so far as to remove or to destroy it and to clear immediately the canal, lock, or navigable waters aforesaid of the obstruction thereby caused, using his best judgment to prevent any unnecessary injury; and no one shall interfere with or prevent such removal or destruction: *Provided*, That the officer or agent charged with the removal or destruction of an obstruction under this section may in his discretion give notice in writing to the owners of any such obstruction requiring them to remove it: *And provided further*, That the expense of removing any such obstruction as aforesaid shall be a charge against such craft and cargo; and if the owners thereof fail or refuse to reimburse the

United States for such expense within 30 days after notification, then the officer or agent aforesaid may sell the craft or cargo, or any part thereof that may not have been destroyed in removal, and the proceeds of such sale shall be covered into the Treasury of the United States.

The United States district engineer, Washington, D. C., who has immediate supervision over such matters in this vicinity, was advised by Mr. Ketcham that he was without funds to salvage the vessel and requested that the salvage operations be conducted in such a way as to damage the vessel as little as possible. Thereupon the district engineer was authorized to remove the vessel under the provisions of the afore-mentioned statute. The vessel was raised and towed to the mud flats near Gravelly Point and there beached. Upon refusal of Mr. Ketcham to pay the cost of removal of the *J. J. Underhill*, it was subsequently advertised for sale, with a requirement that the successful bidder furnish bond to protect the United States against the possibility that it would sink before reaching a marine railway for repairs.

Mr. Ketcham was the only bidder; but being unable to furnish the necessary bond, his proposal was rejected. A few days later the storm of August 22, 1933, caused such an opening of the seams of the hull that its removal was impracticable.

For the above reasons I am withholding my approval of the act.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, June 20, 1938.

H. R. 1363. I have withheld approval of bill No. H. R. 1363, entitled "An act for the relief of the estate of Milton L. Baxter" in the sum of \$2,500, in settlement of all claims against the United States arising from the death of Mr. Baxter, formerly of Hyannis, Mass., who was drowned on October 13, 1929, when an automobile which he was driving went off the Bourne Bridge across the Cape Cod Canal.

House Report No. 645, Seventy-fifth Congress, first session, sets forth the report of the Secretary of War with respect to H. R. 10220, for the relief of the estate of Mr. Baxter, introduced in the Seventy-second Congress, first session. During the period from June 1, 1928, to February 29, 1932, more than 4,000,000 vehicles crossed the Bourne Bridge. The only serious accident was that in which Mr. Baxter lost his life. Drivers were warned by signs which were illuminated at night to drive not in excess of 15 miles per hour while crossing the bridge. The Bourne Bridge roadway is 30 feet wide with a 5-foot sidewalk on the easterly side. It is believed that Mr. Baxter's car was being operated at an excessive rate of speed. The impact tore away 52 feet of railing. Had the car been driven at the prescribed rate of 15 miles per hour, it is not considered that the machine could have climbed the 6-inch sidewalk and crashed through the railing as stated. The large number of vehicles which safely crossed the bridge during the period immediately preceding and following this accident is evidence that the structure was safely constructed and traffic over the bridge properly regulated. On October 13, 1929, the date on which Mr. Baxter was drowned, 3,649 automobiles crossed the bridge.

For the above reasons I am withholding my approval of the bill.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, June 25, 1938.

H. R. 1543. I have withheld approval of the bill (H. R. 1543) entitled "An act to amend section 24 of the Immigration Act of 1917, relating to the compensation of certain Immigration and Naturalization employees, and for other purposes," which bill provides as follows:

(1) That field employees other than immigrant inspectors of the United States Immigration and Naturalization Service having 2 years of service to their credit, with satisfactory efficiency ratings, shall be paid at no less than the average rates of compensation specified for the grade to which their positions are specifically allocated under the Classification Act of 1923, as amended, provided the average of the salaries of employees in any grade shall not

exceed the average of the rates specified for the grade by the Classification Act, as amended.

(2) That the first limitation of the proviso of section 7 of the Classification Act, which limitation states that in no case shall the compensation of any employee be increased unless Congress has appropriated money from which the increase may lawfully be paid, shall not be held to apply to the operation of this bill.

This bill is fundamentally objectionable for the reason that it runs counter to the long-established policy of the Congress that obligations shall not be incurred prior to appropriation of funds sufficient therefor, as expressed, for example, by the proviso of section 7 of the Classification Act of 1923, relative to salary increases within grades, and the act of February 27, 1906, generally known as the Antideficiency Act, relating to all operations of the Government. Furthermore, it would provide for a group of approximately 2,500 employees mandatory benefits not accorded to many thousands of employees under the Classification Act in the same and other agencies of the Government, and for this separate group would, therefore, in effect amend the Classification Act of 1923, which was enacted for the particular purpose of establishing uniform pay rates and salary increases in the Government service.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, June 22, 1938.

H. R. 1948. I find it necessary to withhold my approval of H. R. 1948, conferring jurisdiction upon the United States District Court for the District of Massachusetts to hear, determine, and render judgment upon the claims of certain property holders within the Old Harbor Village area of Boston, Mass.

The United States may abandon condemnation proceedings at any time before the acquisition of title and possession without liability for compensation for damages. This principle is of great importance to the Government as it permits the Government to abandon condemnation proceedings whenever it appears that such proceedings may result in prolonged litigation, that an amount must be paid for the property sought to be condemned which is considered exorbitant, or for any other sufficient reason. It is extremely important to the economical development of low-rent housing and the safeguarding of public funds that when proceedings reveal an excessive cost, or when other obstacles arise to prevent the successful prosecution of a project, the Government should be allowed to withdraw without unusual statutory liability which might destroy the value of prudence. Moreover, no reason appears why preferential treatment should be extended to a group of property owners involved in a particular proceeding, which is not accorded to parties to other condemnation proceedings.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, June 25, 1938.

H. R. 2171. I am withholding my approval of H. R. 2171, Seventy-fifth Congress, third session, "An act for the relief of Frank Burgess Bruce."

This bill authorizes and directs the Administrator of Veterans' Affairs to pay the remaining amount of the insurance under the Government life-insurance policy (T-1016361) of Ashmead Ferguson Bruce to Frank Burgess Bruce, his father and designated beneficiary, in accordance with the terms of the policy.

After reviewing all of the facts of this case, the Administrator of Veterans' Affairs is of the opinion that approval of the proposed legislation would effect an injustice as to other cases wherein similar circumstances exist, where an award has been properly discontinued, and where insurance is not payable under existing law, and recommends that the measure be not approved.

For these reasons I am withholding my approval of this bill.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, June 23, 1938.

H. R. 2487. I am withholding approval of H. R. 2487, a bill entitled "An act for the relief of Thomas J. Allen, Jr."

The bill authorizes payment to the claimant of an amount of \$2,183.50 in settlement of his claim against the United States for damages to his personal property and effects inflicted by vandals in May 1929 while serving as superintendent of the Hawaii National Park, said property having been damaged in the quarters of the claimant in a Government building.

I do not believe that the Government should act as an insurer of the personal property of its officers and employees against losses or damages caused by burglary, vandalism, or other forms of depredation. Moreover, the bill proposes payment to the claimant of the full value of the personal property as appraised by him, notwithstanding the fact that he has estimated that a substantially smaller amount would repair a number of the damaged units or property, e. g., appraised value of one radio, \$120; estimated cost of repair, \$25; amount included in the bill, \$120.

For the above reasons I do not feel that I would be justified in approving the bill.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, June 25, 1938.

H. R. 2711. I have withheld my approval of H. R. 2711, "An act to create a Division of Water Pollution Control in the United States Public Health Service, and for other purposes."

This bill authorizes the appropriation of \$300,000 for administrative expenses of the Division of Water Pollution Control, \$700,000 for expenditure by State health authorities for the preparation of project requests, and, in addition, such amounts as may be necessary for loans and grants-in-aid of States, municipalities, public bodies, or individuals to carry out projects for treatment works to prevent water pollution.

I appreciate the importance of the results sought to be accomplished by the legislation and I fully approve the establishment of a Division of Water Pollution Control in the Public Health Service. This bill, however, provides for the direct presentation, through the Secretary of the Treasury, of the recommendations of the Surgeon General for the authorization by Congress of specific projects to be carried on under the loan or grant-in-aid provisions of the bill without any opportunity for review by the Chief Executive.

Thus, this bill provides for the legislative assumption of responsibilities of the executive branch and therefore runs counter to the fundamental concept of our Budget system that the planning of work programs of the executive agencies and their presentation to Congress in the form of estimates of appropriation is a duty imposed upon the Chief Executive and not one for exercise by the legislative branch.

I am convinced that appropriations for projects of this character should be based upon estimates submitted in the annual Budget. Only in this way can the merit of such projects be considered in their proper relation to the merits of other projects of a similar nature, and all of these projects be then considered in their relation to the needs of the other Government activities that are presented for incorporation in the annual Budgets.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, June 25, 1938.

H. R. 2716. I have withheld my approval of H. R. 2716, "An act to provide for the local delivery rate on certain first-class mail matter."

It is understood the purpose of this bill is to make the 2-cent letter rate apply within the entire county of Queens, N. Y. This county is now served by four separate and independent post offices, namely, Long Island City, Jamaica, Flushing, and Far Rockaway.

Under existing law the local rate on first-class matter applies only to such matter addressed for delivery within the postal district of the mailing office. To extend it to the

matter addressed to postal districts of other offices would mark a departure from the long established basis for the application of the local rate and constitute a precedent upon which other communities served by separate post offices would justly base requests for a similar concession. It would be difficult, if not wholly impracticable, to apply the local rate under the proposed bill, for it would be an almost hopeless task to educate the public with respect to the territory entitled to the local rate.

In addition to the foregoing objections, the extension of the local rate as proposed would result in a considerable loss in revenue. The purpose of the 3-cent rate is to provide additional revenue in order to balance the postal budget, and as long as the continuance of the 3-cent rate for nonlocal first-class matter is necessary, it is felt there should be no piecemeal legislation making exceptions to its application.

For the above reasons and because of adverse recommendation of the Post Office Department, I do not feel justified in approving this bill, but I hope that in a few years the growth of Queens County and the development of consolidated postal facilities will justify applying the same rates as now exist in Kings County.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, June 25, 1938.

H. R. 2734. I find it necessary to withhold my approval of enrolled bill, H. R. 2734, an act to authorize the coinage of 50-cent pieces in commemoration of the four hundredth anniversary of the journey and explorations of Francisco Vasquez de Coronado.

This enrolled bill would provide for the coinage at a mint of the United States to be designated by the Director of the Mint of not to exceed 100,000 silver 50-cent pieces in commemoration of the four hundredth anniversary of the journey and explorations of Francisco Vasquez de Coronado, such coins to be of standard size, weight, and composition, and of a special appropriate single design to be fixed by the Director of the Mint, with the approval of the Secretary of the Treasury.

Bills are being introduced in Congress with increasing frequency authorizing the minting of coins commemorating events, many of which are of no more than local significance. During the 10-year period from 1920 to 1930, 15 issues of 50-cent pieces of special design were authorized to be coined to commemorate historical events, an average of 1 issue every 8 months. The aggregate amount of the coins authorized to be struck was over 13,000,000.

On April 20, 1930, the President, at the instance of the Treasury Department, which has long been opposed to the issuance of commemorative coins, vetoed H. R. 2029, an act to authorize the coinage of silver 50-cent pieces in commemoration of the seventy-fifth anniversary of the Gadsden Purchase. The veto of this measure had the effect of discouraging for a time the enactment of legislation of this nature, and no new commemorative coins were authorized until 1933. Since that date 28 issues of such coins have been authorized, an average of 1 issue every 2 and a fraction months, notwithstanding the fact that the Treasury has consistently during this period expressed its disapproval of this type of legislation. The aggregate amount of the coins authorized to be struck was approximately 3,800,000 pieces. At the end of the last session of the Congress there were pending, I am advised, at least 66 bills to provide for the coinage of as many different issues of commemorative coins.

The rate at which new issues of commemorative coins have been authorized since 1932 has increased threefold over the 10-year period between 1920 and 1930. These coins do not have a wide circulation as a medium of exchange, and, because of the multiplicity of designs arising from the issuance of such coins, they jeopardize the integrity of our coins and cause confusion.

The Congress recognized the wisdom of maintaining uniformity in the designs of the various coins of the United

States by providing in section 3510 of the Revised Statutes, as amended, that:

* * * no change in the design or die of any coin shall be made oftener than once in 25 years from and including the year of the first adoption of the design, model, die, or hub for the same coin * * *

Recognizing that the practice of striking special coins in commemoration of historical events and of permitting the sponsoring organization to sell them at a profit was a misuse of our coinage system, which was assuming increasingly dangerous proportions, I sent to the chairman of the Committee on Coinage, Weights, and Measures of the House of Representatives, and to the chairman of the Senate Committee on Banking and Currency, in June 1935, a proposed bill which was designed to terminate the practice of striking commemorative coins and to authorize, in substitution, the striking of appropriate commemorative medals. In January 1937 I again wrote to the chairmen of such committees with respect to this matter. Bill S. 3086 of the Seventy-fourth Congress, and bill S. 1895 of the Seventy-fifth Congress embodied those suggestions.

For the foregoing reasons I find it necessary to withhold my approval of this enrolled bill.

I have informed those interested in the celebration of this anniversary that the Mint of the United States will be glad to strike off a commemorative medal in place of the 50-cent coin.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, June 30, 1938.

H. R. 2904. I have withheld my approval of the bill H. R. 2904, for the relief of officers and soldiers of the volunteer service of the United States mustered into service for the War with Spain, and who were held in service in the Philippine Islands after the ratification of the treaty of peace, April 11, 1899.

The effect of this bill is that a certain class of the approximately 15,000 volunteers "shall be entitled to the travel pay and allowance for subsistence provided in sections 1289 and 1290, Revised Statutes, as then amended and in effect, as though discharged April 11, 1899, by reason of expiration of enlistment, and appointed or reenlisted April 12, 1899, without deduction of travel pay and subsistence paid such officers or soldiers on final muster out subsequent to April 11, 1899." In this bill is a proviso "that no benefits shall accrue under any provision of this act to any person whose claim is based upon the service of any such officer or soldier discharged in the Philippine Islands at his own request."

With the exception of the above-quoted proviso, H. R. 2904 is identical with H. R. 2024, Seventy-fourth Congress, first session, which I disapproved on September 2, 1935, at which time I made the following statement:

I have disapproved H. R. 2024, an act for the relief of officers and soldiers of the volunteer service of the United States mustered into service for the War with Spain, and who were held in service in the Philippine Islands after the ratification of the treaty of peace, April 11, 1899.

The effect of this bill is that the beneficiaries thereof "shall be entitled to the travel pay and allowance for subsistence provided in sections 1289 and 1290, Revised Statutes, as then amended and in effect, as though discharged April 11, 1899, by reason of expiration of enlistment, and appointed or reenlisted April 12, 1899, without deduction of travel pay and subsistence paid such officers or soldiers on final muster out subsequent to April 11, 1899."

I am advised by the Secretary of War that there were approximately 15,000 officers and soldiers of the volunteer forces of the United States in the Philippine Islands at the conclusion of peace with the Kingdom of Spain who would become beneficiaries of this act.

The Comptroller General in his report on February 23, 1935, advises that the enactment of this bill would authorize payment of travel pay at the rate of 1 day's pay and 1 ration for each 20 miles, inclusive of the distance by water from the Philippine Islands to San Francisco, approximately 8,000 miles, and that such payments for the water travel alone will exceed 1 year's pay plus 1 day's ration for each day of such period. It is estimated the cost of the legislation will approximate \$7,000,000.

Congress has heretofore recognized the service of these officers and men by the award of a special medal, and there was also an

allowance by the act of Congress approved January 12, 1899, of 2 months' extra pay to all volunteers who served honestly and faithfully beyond the continental limits of the United States. I join most heartily in recognizing and appreciating the patriotic service of these men.

However, approval of this bill would result in the payment of a gratuity to each of the officers and men concerned, in an amount exceeding his pay for a full year, plus the value of rations for the period involved in sea travel from the Philippines to the United States, a benefit utterly without warrant, since each individual concerned has already received transportation and subsistence at Government expense for the journey performed in addition to full pay for the entire time.

I have recently signed an act restoring pensioners of the War with Spain and Philippine Insurrection to their full rate of pension. I feel that no breach of trust has been committed by the Government as regards the men who served their country in the War with Spain and Philippine Insurrection, and from the facts in this case general legislation upon this subject as provided in H. R. 2024 is not deemed advisable.

I am informed by the Secretary of War that there is no information available upon which an estimate of the number of beneficiaries entitled to the travel pay and allowance for subsistence under the provisions of the act can be determined, and it is not understood how the proponents of the legislation have estimated that approximately 7,000 of the officers and soldiers of the State volunteers have died leaving no widow, children, father, or mother. I find no change in the beneficiaries affected by H. R. 2904, other than the proviso that no benefits shall accrue under any provision of the act to any person whose claim is based upon the service of any such officer or soldier discharged in the Philippine Islands at his own request, and I am informed by the Secretary of War, also, that this proviso would affect approximately 2 percent of the 15,000 volunteers who served in the Philippine Islands, or only about 300.

Moreover, the enactment of H. R. 2904 into law would establish an undesirable precedent under which approximately 4,400 members of the Regular Army rendering similar service could demand with equal justice that legislation be enacted in their behalf and in whose behalf a similar bill, H. R. 2279, was introduced in the first session of the present Congress.

The Secretary of War strongly recommends that this bill be not favorably considered and I find nothing now in the facts in the case which would justify different action on my part.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, June 20, 1938.

H. R. 3232. I have withheld my approval of bill H. R. 3232, entitled "An act of conferring jurisdiction upon the Court of Claims to hear, consider, and render judgment on the claims of Joliet National Bank, Joliet, Ill., and Commercial Trust & Savings Bank, of Joliet, Ill., arising out of loans to the Joliet Forge Co., of Joliet, Ill., for the providing of additional plant facilities and material for the construction of steel forgings during the World War."

Both the War Department and the Maritime Commission have reported to me that there is nothing in their records to show any dealings or negotiations with the Joliet Forge Co. for the increase of its plant facilities for the purposes stated, and that they had no dealings with either of the banks named in the bill in the nature of requests to such banks that they furnish money to the Joliet Forge Co. for any purpose.

It is stated that the only possible ground on which the claims might be based is the allegation that on or about July 9, 1918, the district manager of the Supply Division of the United States Shipping Board of the Emergency Fleet Corporation appears to have ordered the Joliet Forge Co. immediately to increase the facilities of its plant by not less than 300 percent in 120 days, and indicated that if the improvements could not be financed through local banks it might be possible to arrange a loan of Government funds. This official had no authority to enter into such a negotiation or to bind the Government, and in any event no agreement of any kind was made with the banks.

The claim of the Joliet Forge Co. for reimbursement on account of facilities alleged to have been installed for the purpose of filling Government contracts was heard by the War Department Claims Board, and was disallowed. It likewise appears that the company then filed a claim against the Emergency Fleet Corporation, which claim was given thorough consideration by the former Shipping Board and disallowed because of lack of merit.

Since the claim of the Joliet Forge Co. itself has been found to be without merit, it is difficult to conceive upon what possible theory of equity the claims of banks which furnished money to the Joliet Forge Co. can be favorably entertained. Certainly the loans, if any, made to the Joliet Forge Co. must have been consummated more than 18 years ago, and when consummated no right was created whereby the banks making the loans were entitled to look to the United States for payment. Yet the enrolled enactment, if approved now, some 18 years after the fact, would create a right which did not exist at the time of the loans, and would permit the Court of Claims to render judgment against the United States on the basis of the right thus created.

Allowance of such claim in the manner prescribed by this bill would establish a dangerous precedent which would encourage the presentation of unjustified claims and make it appear that the Government is assuming liability for business losses indirectly traceable to wartime transactions, for which losses the Government is neither legally nor morally responsible.

For the foregoing reasons, I am impelled to withhold my approval of the bill H. R. 3232.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, June 25, 1938.

H. R. 3357. I am withholding my approval of H. R. 3357, an act conferring jurisdiction upon the United States District Court for the Northern District of California to hear, determine, and render judgment upon the claim of Fred Owens.

The claimant's principal complaint seems to be, not malpractice to the extent that no cure of a curable disease was effected, or that by treatment his condition was made worse, but simply that there was excessive heat applied which left scars on or near the knees. This could serve at the most as a basis of nominal damages only. Moreover, claimant, on the last date mentioned in the record, June 21, 1936, was still receiving treatment at Government expense. He is now, I am informed, employed at the United States Marine Hospital, Baltimore, Md., at a salary, including perquisites, of \$1,200 per annum.

In view of the fact that he entered a United States hospital suffering from a self-contracted disease of venereal origin, and one which does not yield readily to treatment, that he received treatment at Government expense for more than 5 years, and that he now has a Government position suitable to his capacity, the proposal to provide for a court determination of his claim for damages on account of treatment in a Government hospital lacks, it seems to me, any satisfactory justification.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, June 29, 1938.

H. R. 3618. I have withheld approval of the act H. R. 3618, to reestablish longevity pay of warrant officers. This act is intended to change the existing longevity pay system of warrant officers of the Army which was established under the Pay Readjustment Act of 1922 and which provides a 5-percent increase in pay for each 4 years of service not to exceed 25 percent to the longevity system in effect prior to 1922 under which warrant officers receive an increase of 10 percent of their base pay for each 5 years of service not to exceed 40 percent. The 1922 act increased the base pay and allowances of warrant officers. I am advised by the War Department that these increases considered in connection with additional pay for longevity have resulted in establishing pay rates for warrant officers which are relatively more

advantageous than provided for certain grades of enlisted men and officers, and that no further increase in pay for this group is justified independently of any consideration of the pay schedules of enlisted men and officers. The pay system of the armed services can be established on a proper and equitable basis only through consideration of the requirements of all classes of personnel. Legislation such as the instant bill which would grant pay increases to a particular class of individuals and which is not in accord with the views of the War Department is considered without sufficient merit to warrant my approval. If the purpose of the bill be to correct a situation of pay stagnation in the warrant-officer grade, then the present bill is without merit over existing law since it would not provide any further increases after 20 years' service. If its purpose be to afford a higher pay to warrant officers of the active list, I am constrained to withhold approval, because I do not favor such increases without regard to the compensation provided by existing law for enlisted men and officers of the Army.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, June 29, 1938.

H. R. 3655. I am withholding my approval of H. R. 3655, a bill for the relief of Clarence D. Schiffman.

The bill proposes to pay the claimant \$3,500 in full settlement of all claims against the Government for the loss of the sight of one eye resulting from an accident incurred in line of duty.

The Federal Employees' Compensation Act of September 7, 1916, provides for the payment of medical expenses incurred by employees injured in the line of duty, and for the payment of compensation during periods of unemployment. No provision is made for the payment of compensation of employees restored to duty at the same rate of pay which they received at the time of injury.

From information furnished by the Employees' Compensation Commission it appears that there are several hundred Government employees with partial permanent disabilities incurred as a result of injury in the line of duty. In a number of cases the disability is of a major character, such as the loss of an eye, a leg, or an arm. No one of these employees is receiving compensation, nor do I know of any case where a lump sum payment has been made as provided in this bill.

I do not feel that I would be justified in approving a bill of this character which is discriminatory in granting a special privilege to a particular individual that is not accorded by general legislation to other employees of the Government under similar conditions.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, June 25, 1938.

H. R. 4285. I have withheld approval of H. R. 4285, entitled "An act to increase the salaries of letter carriers in the village delivery service."

Under existing law the annual salary rates for village delivery carriers are fixed at \$1,150 for grade 1, \$1,250 for grade 2, and \$1,350 for grade 3. This bill proposes to increase the salary rates of each grade by \$75 per year, or to \$1,225 for grade 1, \$1,325 for grade 2, and \$1,425 for grade 3. The bill also provides for the increase in the hourly pay of substitutes in said service from 50 to 55 cents. The salary rates for postal employees at post offices of the first, second, and third classes were prescribed by the act approved February 28, 1925. Since that time the workweek was first reduced by law from 48 hours to 44 hours, and again further reduced to 40 hours, which in effect results in a decrease of 16 2/3 percent in service actually rendered for the same rate of pay. Until the financial situation of the Government becomes greatly improved and until the postal receipts and expenditures are brought more nearly into balance, I cannot, as a matter of sound policy, look with favor upon any proposed legislation which would provide for an increase in the salary rates of postal employees. I do not consider that there are sufficient reasons in support of this proposal to increase the

salaries of village delivery carriers to justify an exception to the above-stated policy.

The bill also contains an innovation in the form of a proviso, which reads as follows:

That hereafter substitute carriers in the village delivery service, when appointed regular carriers in the village delivery service, shall have credit for actual time served on a basis of 1 year for each 254 days of 8 hours served as a substitute, and appointed to the grade to which such carrier would have progressed had his original appointment as substitute been to grade 1.

The proposal to allow credit of 1 year's service for each 254 days of actual service performed as a substitute is predicated on deducting from a 365-day year, 52 Sundays, 7 holidays, and 52 Saturdays or their equivalent. Substitutes in the village delivery service are not now authorized by law to count for purposes of promotion after appointment as a regular carrier time served as a substitute. But other large groups of postal employees are authorized by law to count actual service rendered as a substitute for purposes of promotion after appointment as regulars on the basis that 306 days of actual service as substitute shall be counted as 1 year's service. This definition of 1 year's service as a substitute is predicated on deducting from a 365-day year, 52 Sundays, and 7 holidays, leaving 306 days of 8 hours each of actual service required for credit of 1 year's service.

Certain large groups of postal employees holding regular appointments are entitled to automatic promotions to the next higher grade for service rendered as a regular appointee only after a 1-year period of 365 calendar days has elapsed since the last promotion. During such 1-year period a regular employee is entitled to the rate of pay established in 1925 for 306 days of actual service. While a substitute may render actual service of more or less than 306 days within a calendar period of 365 days, there appears to be no sound reason for changing existing law so as to reduce the definition of 1 year's service from 306 days to 254 days of actual service rendered as a substitute for purposes of promotion after appointment to a regular position. I would have no objection to legislation granting to substitutes in the village delivery service the same benefits as is or may be granted by law to other postal employees with respect to counting actual service rendered as a substitute for purposes of promotion after appointment to a regular position; but for the purpose in reference I am strongly opposed to a definition of 1 year's service predicated on a deduction from the 365-day year of more than 52 Sundays, together with the number of statutory national holidays in a year. Moreover, should legislation of this nature be approved granting increased benefits to this relatively small group of employees, it would establish a precedent under which all other groups of postal employees concerned would, no doubt, soon request the enactment of legislation granting them similar benefits.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, June 25, 1938.

H. R. 4443. I am withholding my approval from H. R. 4443, Seventy-fifth Congress, third session, "An act for the relief of Meta De Rene McLoskey."

This bill authorizes and directs the Administrator of Veterans' Affairs to pay to Meta De Rene McLoskey, mother of Arthur Lee McLoskey, formerly a member of Company I, Forty-seventh Regiment, United States Infantry, who disappeared on May 7, 1918, all such installments of money which she would be entitled to receive as beneficiary of war-risk term insurance policy T-2024764.

Eligibility for benefits under this policy would depend among other things upon whether or not the policyholder died before the policy lapsed because of nonpayment of premiums. At the time of the soldier's disappearance there was sufficient pay due him to have taken care of his insurance until July 21, 1918. However, while it is true that a presumption of death attaches under such circumstances at the expiration of the 7-year period, there is no presumption as to the actual date of death. Whether the veteran died on or

before July 21, 1918, is the question of fact that has not been proven.

The Administrator of Veterans' Affairs advises me that approval of the above bill may well be used as a precedent in many other cases where veterans have disappeared at a time when their insurance was in force and have not since been heard from, and recommends the bill be not approved.

For these reasons I am withholding my approval of this bill.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, June 23, 1938.

H. R. 4571. I am withholding my approval of H. R. 4571, "An act for the relief of the widow and children of James Patrick Mahar."

The purpose of this bill is to authorize and direct the Secretary of the Treasury to pay to the Wilber National Bank, of Oneonta, N. Y., administrator of the estate of James Patrick Mahar, the sum of \$5,000, being benefits claimed under United States Government life-insurance policy No. K-812772, the same to be distributed among the heirs-at-law and next of kin of the said James Patrick Mahar, a deceased veteran of the World War.

Under date of June 29, 1936, I withheld my approval of a similar bill for the relief of the veteran's widow, Helen Mahar Johnson, who had remarried, upon the primary ground that the decisions of the circuit court of appeals and the Supreme Court of the United States held that the Government was without liability; that it did not appear that the judgments were based upon purely technical grounds; and that there did not appear to be sufficiently extenuating circumstances to warrant the enactment of special legislation for relief in this case.

The present bill differs from the previous bill only in that it provides for the distribution of the \$5,000 among the heirs-at-law and next of kin instead of providing payment to the widow. My objection to the former bill still applies with equal force to the present proposed legislation, and I feel compelled to adhere to my previous position with respect to this case.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, June 25, 1938.

H. R. 4864. I have found it necessary to withhold my approval of bill H. R. 4864 for the relief of Helen Rauch in the amount of \$2,132.20, and her husband, Max Rauch, in the amount of \$500, in full settlement of their claims against the United States for judgments obtained against the Director General of Railroads as the result of personal injuries received by Helen Rauch on May 11, 1919, when a passenger on the Hudson & Manhattan Railroad, which was being operated by the Director General of Railroads, acting for the United States.

On May 19, 1920, Helen Rauch instituted a suit in the Supreme Court of New York County, State of New York, naming as defendant "Walker D. Hines, Director General, Hudson & Manhattan Railway Co.," in which she sought to recover \$10,000 for personal injuries alleged to have been received on May 11, 1919, while alighting as a passenger on a railroad known as the Hudson Tube at Sixth Avenue and Thirty-third Street, city of New York, then being operated by the Government.

Walker D. Hines had resigned as Director General and as agent to be sued and John Barton Payne had been appointed and qualified as successor on May 18, 1920. The suit should, therefore, have been brought against John Barton Payne, Director General and agent, as provided in section 206 of the Transportation Act of 1920. As brought, the suit was not in accordance with the consent of Congress and was not a suit against the United States. Process was served on an agent of the Hudson & Manhattan Railway Co. and an appearance was entered for Walker D. Hines by the regular attorneys of the railway company. An answer and trial notices were filed and the case came on for trial on October 5, 1922. Counsel

for the defendant failed to appear and the case was tried ex parte to a jury. Judgment was entered on the jury's verdict on the said date for \$2,132.20. It was not until the receipt of a letter dated May 28, 1923, from the attorneys for the plaintiff that the Railroad Administration had notice of the pendency of the suit. The matter was then investigated and the foregoing facts developed.

The Railroad Administration refused to pay the judgment on the ground that the court was without jurisdiction to enter a judgment against the Government and that the judgment was therefore a nullity. In December 1923 the plaintiff made application to amend the proceedings and judgment entered against Hines by substituting the name of James C. Davis for that of Hines and thus make the judgment a judgment against James C. Davis as Director General and agent. At such time the consent of the Government to be sued in causes of action arising out of Federal control, contained in section 206 of the Transportation Act of 1920, had expired. There was a resistance to the application by the Railroad Administration, but the court made the order of substitution. The Railroad Administration declined to recognize the validity of this order, and on June 11, 1924, the plaintiff instituted mandamus proceedings in the Supreme Court of the District of Columbia for the purpose of compelling the Director General to pay the alleged judgment. Upon demurrer the Director General was sustained and the case dismissed on the ground that the original suit was not a suit against the United States and the court was without jurisdiction to substitute the representative of the United States as defendant after the consent of the Government to be sued had expired. Appeal was taken to the Court of Appeals of the District of Columbia, where the judgment of the Supreme Court of the District of Columbia was affirmed on November 2, 1925. Thereafter petition for writ of certiorari was filed by Helen Rauch in the Supreme Court of the United States; and on March 1, 1926, such petition was denied.

The result of the litigation in this matter is that suit was not brought in harmony with the consent of Congress permitting suits to be brought on causes of action growing out of the operation of the railroads during Federal control. As brought, the suit was not against the United States, and when it was attempted to make the proper representative of the Government a defendant the consent to be sued had expired and the court was without jurisdiction to make such substitution. In effect, Helen Rauch is in the same situation as any other party who had a claim which was not adjusted or sued within the time prescribed by Congress.

Even if liability should be assumed by the United States in this case, the amount allowed by the jury in ex parte proceedings should not, under the circumstances, be treated as a definite measure of such liability. By not complying with the requirements of the Congress, the parties here afforded the Government no opportunity to present an adequate defense to the merits of the case.

There are a large number of similar claims of varying degrees of merit and there is no known reason why the proposed beneficiaries of bill H. R. 4864 are entitled to preferential treatment. If, however, Congress should undertake to afford relief in all such cases, the Government would be subjected to substantial financial liability and major injustices would be done in many cases. After this lapse of time records are largely destroyed, witnesses have disappeared, and the protection of the Government's interests in such cases would be exceedingly difficult, if not entirely impossible.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, June 25, 1938.

H. R. 4941. I am withholding my approval of H. R. 4941 for the relief of Rogowski Bros., South St. Paul, Minn.

This enrolled enactment would authorize and direct the Secretary of the Treasury to pay to Rogowski Bros. the sum of \$1,281.25 in full satisfaction of their claim against the United States for the refund of an illegal tax assessment wrongfully collected by the collector of internal revenue at

St. Paul, Minn., on March 8, 1920. The assessment was made in December 1919, in the sum of \$1,281.25, and consisted of the following items:

Special tax as retail liquor dealer under section 3244, Revised Statutes.....	\$25.00
25-percent penalty under section 3176, Revised Statutes.....	6.25
Special tax under section 1001 of the Revenue Act of 1918.....	1,000.00
25-percent penalty under section 3176, Revised Statutes.....	250.00
	1,281.25

Section 1001 (12) of the Revenue Act of 1918, approved February 24, 1919 (under which the \$1,000 special tax was assessed and collected) provided that every person carrying on the business of a retail liquor dealer (among other businesses) in any State, Territory, or District of the United States contrary to the laws of such State, Territory, or District, or in any place therein in which carrying on such business was prohibited by local or municipal law, should pay \$1,000, in addition to all other taxes, special or otherwise, imposed by law.

Rogowski Bros. engaged in the business of a retail liquor dealer on November 15, 1919 (1) in violation of the prohibition law of the State of Minnesota, and (2) without having paid special taxes under the internal-revenue laws.

The allegation of wrongful collection of the amount of the assessment under the Revenue Act of 1918 apparently is based upon the decision of the Supreme Court in the case of *Constantine v. United States* (296 U. S. 287, 80 L. ed. 233), decided December 9, 1935, in a case arising under section 701 of the Revenue Act of 1926. Section 1001 (12) of the Revenue Act of 1918 was succeeded, in identical language, by section 1001 (12) of the Revenue Act of 1921. This latter section was in turn succeeded by section 701 of the Revenue Act of 1924 and section 701 of the Revenue Act of 1926. In the *Constantine* case above, involving alleged liability to the \$1,000 special tax accruing after adoption of the twenty-first amendment, the Supreme Court held that the imposition of the \$1,000 special tax depended for its validity upon the eighteenth amendment; that such an imposition was unconstitutional after repeal of that amendment. There are no decisions as to the validity of the statute under which Rogowski Bros. are alleged to have incurred liability. At the time they incurred liability the wartime Prohibition Act was in effect. It is believed that the decision in the *Constantine* case does not control as to the liability of Rogowski Bros. under the Revenue Act of 1918. It certainly would not have been controlling during the period of prohibition; and in the absence of decisions to the contrary, it may be assumed that it would not have been controlling during prior prohibition under the war powers.

Section 3226 of the Revised Statutes, as amended by section 1318 of the Revenue Act of 1921 (the act in force at the date of the rejection of the claim), recognized that taxes might be illegally and erroneously assessed and collected, but provision was made therein for refunds in such cases only if application for refund was made within the time fixed. Under section 3226, Revised Statutes, above, Congress also provided, in 1921, for suits to recover the amounts involved only if commenced within 5 years.

On July 6, 1921, within the period prescribed by law, a claim for refund was filed by Rogowski Bros. and was rejected on December 1, 1921. No suit has been filed by Rogowski Bros. for the recovery of the tax and penalty.

It appears, therefore, that Rogowski Bros. were assessed in the manner provided by law; that the assessment was paid and Rogowski Bros. failed to avail themselves of their rights and privileges under the law to bring suit within the time prescribed by statute to recover after disallowance of the claim.

This bill for the private relief of one taxpayer who did not avail himself of the remedies provided by law is in derogation of the laws applicable to all claimants and suitors for refund.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, June 25, 1938.

H. R. 5006. I am withholding my approval of H. R. 5006, Seventy-fifth Congress, "An act for the relief of Dewitt F. McLaurine."

This bill would require the Administrator of Veterans' Affairs to pay to Mr. McLaurine, during his life, and to his designated beneficiary or estate after his death, insurance benefits under a United States Government life-insurance policy which was issued in his favor but which has been canceled by the Veterans' Administration on finding that the insured procured the policy through fraud.

This finding and action of the Veterans' Administration has been sustained by a Federal court, after a hearing on the merits, in a judgment from which Mr. McLaurine did not appeal.

After careful review of this case, I can find no unusual facts or circumstances which would justify consideration of the finding of the court as other than final, and for that reason I am withholding approval of the bill.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, June 23, 1938.

H. R. 5743. I am withholding my approval of H. R. 5743, for the relief of Haffenreffer & Co., Inc., of Boston, Mass.

This enrolled enactment would authorize and direct the Commissioner of Internal Revenue to receive and consider the claim of Haffenreffer & Co., Inc., for a refund of the fermented malt-liquor tax paid by it on certain unmarketable ale, in accordance with the provisions of section 327 of the Liquor Tax Administration Act, approved June 26, 1936, but without regard to the fact that said liquor was removed from the company's bottling house and sold.

Section 327 of the act authorizes refunds of taxes paid on fermented malt liquor which became unsalable after March 22, 1933, by reason of its condition, upon the filing of a claim therefor by the brewer and proof by him to the satisfaction of the Commissioner of Internal Revenue that, among other facts, such fermented malt liquor never was removed from the brewer's bottling house, except in the process of destruction or for return to the brewery.

It appears from the files of the Bureau of Internal Revenue that Haffenreffer & Co., Inc., withdrew by pipe line from its brewery to its bottling house, and tax paid, certain Pickwick Ale which was subsequently bottled; and that 37,560 cases of such Pickwick Ale, representing 2,731 barrels, in respect of which the brewer had paid \$13,655 in taxes, were removed from its bottling house and sold to bona fide customers.

The removal of the fermented malt liquor from the brewery bottling house effectively bars the allowance of the claim filed by Haffenreffer & Co., Inc., for refund under section 327.

This bill, authorizing receipt of the claim and action thereon without regard to one of the items required by section 327 to be proved by all other claimants under the section, is in derogation of the law applicable to all claimants for refund under section 327.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, June 25, 1938.

H. R. 6374. I am withholding my approval of H. R. 6374, a bill for the relief of Lena R. Burnett.

The bill proposes to extend the provisions of the Federal Employees' Compensation Act, as limited by section 2 of the Emergency Relief Appropriation Act of April 8, 1935, to Mrs. Burnett, the widow of a former Works Progress Administration employee.

It appears that the claimant's husband was employed on a non-Federal project at Rosenberg, Tex.; that on or about February 20, 1936, Federal funds became exhausted and the project would have been closed on that date had not the city decided to continue it and meet the necessary expenditure for the salary of the claimant's husband with its own funds. Thereafter, until the time of the injury, which took place on April 25, 1936, his salary was paid by the city.

The theory behind this proposed legislation appears to be that though Federal funds for a particular project are exhausted, the project, if continued and paid for with sponsor's funds, is still in fact a Works Progress Administration project and that persons employed on such project by the sponsor should, if injured, become eligible for Federal benefits.

While I regret the unfortunate accident which resulted in the death of Mrs. Burnett's husband, I cannot agree with the theory of the proposed legislation, and, therefore, I do not feel that I would be justified in approving the bill.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, June 25, 1938.

H. R. 6713. I am withholding my approval from H. R. 6713, a bill for the relief of the Genesee Brewing Co., Inc., Rochester, N. Y.

The enrolled enactment would authorize and direct the Secretary of the Treasury to pay to the Genesee Brewing Co., Inc., the sum of \$1,050 in full satisfaction of its claim against the United States for refund of the amount paid for fermented malt-liquor stamps which were canceled under protest by the company on July 26, 1936, to constitute a payment of tax on fermented malt liquor of the volume of 210 barrels, although the beer had been destroyed on May 12, 1936, when the tank containing it collapsed.

The files of the Bureau of Internal Revenue make it clear that an employee of the Genesee Brewing Co., Inc., failed to exercise care in filling a tank with fermented malt liquor being withdrawn from the brewery by pipe line, with the result that the tank was filled beyond capacity and collapsed (to quote the brewer's own explanation) "from excess pressure." The reason for the loss was solely the negligent performance of duty by the brewer's employee. No officer or employee of the Treasury Department had any part in the operation.

There is now no authority in the law for the refund to all brewers indiscriminately of taxes paid on fermented malt liquor destroyed under circumstances similar to those of this case. The taxes on the fermented malt liquor destroyed were not erroneously or illegally assessed or collected so as to be refundable under section 3220 of the Revised Statutes (U. S. C., title 26, sec. 1670). The fermented malt liquor in question did not "become unsalable by reason of its condition" within the meaning of that language contained in section 327 of the Liquor Tax Administration Act approved June 26, 1936 (U. S. C., Supp. II, title 26, sec. 1330 (b)); neither was it "destroyed in the bottling house in the presence of a representative of the Bureau of Internal Revenue" as contemplated by the same section, as a condition precedent to the granting of a refund.

This bill authorizes private relief for the Genesee Brewing Co., Inc., under conditions which Congress failed to include within the terms of the section granting relief to brewers in general. It is, therefore, in derogation of the laws applicable to all claimants and suitors for refund.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, June 25, 1938.

H. R. 6951. I have withheld approval of H. R. 6951, entitled "An act for the relief of Harold Price."

This bill proposes to authorize and direct payment in the sum of \$244.68 to Harold Price for expenses incident to the last illness and death and burial of his son, Jack Sterling Price, formerly of the United States Navy, who was discharged March 7, 1936, and died March 10, 1936, from a disease allegedly incurred prior to such discharge.

The report of the Committee on Claims, House of Representatives, House Report No. 1933, contains, among other things, pertinent statements regarding this claim, as follows:

Jack Sterling Price was honorably discharged March 7, 1936, from the Navy, after a 4-year enlistment, at San Pedro, Calif. * * * Price was stricken with bronchial pneumonia within 48 hours of his discharge and died March 10. As he died after discharge, the Navy Department was without authority to pay funeral expenses and those for shipment of the remains. The

question presented by this claim is, therefore, whether Price was stricken by a disease incurred while on duty, and it has been raised because of the nature of the disease and the short time which elapsed between discharge and death. * * * While no effort is made to declare it as a positive medical opinion that this disease was contracted during Price's service, your committee believes there is reasonable presumption to that effect and we further feel that based on such presumption, the Government might properly bear the expenses attendant upon Price's death, insofar as funeral and transportation items are concerned. This action is justified in view of the short period of time which had elapsed since discharge, the nature of the disease, and the absence of any indication that it was contracted elsewhere than in the service. * * * The Navy Department reports that, had this man died while in service, \$99 for embalming, casket, health permit, and delivery to shipping point would have been allowable, plus the expense of transportation of the remains, \$145.68, to the place designated by the next of kin. * * * Thus the two items total \$244.68, the amount carried in the amended bill.

From that part of the committee report quoted above it would appear that this claim is predicated on the presumption that when a former enlisted man dies after discharge from the Navy as the result of disease contracted prior to discharge, the expenses incident to the preparation of the remains for burial and the cost of their transportation to the place designated by the next of kin represent charges which may properly be met from naval appropriations. Such presumption is entirely erroneous. Such charges are not allowable in the case of a man who dies after discharge on account of disability incurred in line of duty, even though it is definitely determined that such disability was incurred prior to discharge, and not presumed as in this case.

The approval of this bill would set an undesirable precedent, and, in addition, would grant preferential benefits in this one case as distinguished from numerous other cases which are denied similar benefits under existing law. I regret, therefore, that I cannot sign this bill.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, June 25, 1938.

H. R. 8176. I am withholding approval of H. R. 8176, "An act providing for continuing retirement pay, under certain conditions, of officers and former officers of the Army, Navy, and Marine Corps of the United States other than officers of the Regular Army, Navy, or Marine Corps, who incurred physical disability while in the service of the United States during the World War, and for other purposes."

The purpose of the bill is to liberalize section 10, Public, No. 2, Seventy-third Congress, approved March 20, 1933, which restricted retirement pay to emergency officers of the World War who could prove at least 30 percent disability directly resulting from performance of military or naval duty, by granting claims for disabilities arising while in service instead of restricting them as under present law to disabilities caused by service.

The Emergency Officers' Retirement Act, enacted by Congress over the President's veto, May 24, 1928, introduced the principle of rank into the World War compensation structure and approximately 6,300 emergency officers were placed on retirement pay. Public, No. 2, approved March 20, 1933, restricted these retirement benefits to those cases where disability was caused by military or naval service, so that some 4,700 cases were removed from the rolls. The proposed legislation would put back some 3,050 of the 4,700 previously removed at an annual initial cost to the United States Treasury of \$3,000,000.

In enacting Public, No. 2, restricting retirement benefits to those whose disabilities directly resulted from the performance of military or naval duty, Congress clearly indicated that to continue to receive retirement pay, an emergency officer theretofore on the rolls was required to show a causative factor arising out of the performance of duty.

There is ample provision under existing law for approval of emergency officers' retirement with pay in meritorious cases, including review in doubtful cases where it may be urged that disallowance thereof does not accord with present law. Such reconsiderations are being given at the present time. Moreover, those emergency officers who cannot meet

the requirements of existing law for entitlement to retirement pay receive compensation at the same rates for their service-connected disabilities as are paid to nonofficers.

After reviewing the entire history of this legislation, it is my view that no liberalization in the existing law is warranted.

For these reasons I am withholding my approval of the above bill.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, June 25, 1938.

H. R. 8515. I am withholding my approval of H. R. 8515, "An act to amend the act entitled 'An act for the relief of Harry Bryan and Alda Duffield Mullins, and others', approved August 28, 1937."

The bill proposes to pay all hospital, medical, and other expenses necessarily incurred by claimants named in the act of August 28, 1937.

The act of August 28, 1937, provided that the sums contained therein, totaling \$52,925, would be in full settlement of all claims against the Government for personal injuries and death caused by the accident which resulted in the filing of said claims.

In view of this provision of the act of August 28, 1937, and of my belief that the amounts therein appropriated for the purpose represent adequate compensation in these cases, I do not feel that I would be justified in approving the bill.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, June 25, 1938.

H. R. 8567. I have withheld my approval of H. R. 8567, a bill for the relief of Margaret B. Nonnenberg, for the following reasons:

The bill provides for the payment to the claimant of \$3,565.76 as damages for injuries sustained by her on November 16, 1936, when an automobile in which she was riding was struck by a Government vehicle. Negligence on the part of the Government driver is conceded, but the extent of the damages suffered as represented by the amount fixed in the bill is open to serious question. The medical and hospital expenses incurred, including loss of earnings, amounted to but \$565.76; and the attending physician stated that when discharged on February 5, 1937, the claimant's injury showed only a tenderness and discoloration which he felt would clear up entirely.

If the bill had been drafted to allow a sum more commensurate with the injury sustained, I would not have withheld my approval.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, June 25, 1938.

H. R. 8729. I have withheld approval of the bill (H. R. 8729, 75th Cong.) entitled "An act granting pensions and increases of pensions to needy war veterans."

This bill proposes to redefine permanent and total disability and to increase from \$30 to \$40 the monthly rate of pensions allowable in non-service-connected permanent and total disability cases and almost exclusively affects World War veterans.

The first provision of this bill redefining permanent and total disability purposes to liberalize the standards by which permanent and total disability should be judged. I believe that present standards are sufficiently liberal. These standards are now applied to both service-connected and non-service-connected cases and since this bill deals exclusively with non-service-connected cases it contemplates, in the light of the reports which accompanied it, a preferment to the type of case which has lesser merit than others, and further, would tend to add confusion to an already complex administrative problem.

The second provision of this bill, increasing the monthly pension rate from \$30 to \$40 a month, would constitute a 33 1/3-percent increase, would practically equal the average

rate of compensation for all classes of World War service-connected disabilities, which is now \$40.10 per month, and would approximate the present peacetime service-connected total disability pension rate of \$45 per month.

Since approval of this bill would add \$5,182,000 to the recurring pension increases, which amount to \$16,000,000, already granted by the Seventy-fifth Congress and would undoubtedly entail dissatisfaction among the directly service-connected and peacetime groups and cause further demands for pension legislation and increases in rates now authorized, I feel compelled to withhold my approval from the above measure.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, June 20, 1938.

H. R. 8744. I have withheld my approval of H. R. 8744, "An act for the relief of J. G. Bucklin."

The bill proposes payment to the claimant of an amount of \$516.12 for destruction of 243 turkey eggs alleged to have been caused by blasting in connection with a project of the Works Progress Administration near the premises of the claimant. Of a total of 260 eggs there were only 17 hatched.

Payment of the amount proposed assumes that, but for the blasting, each egg would have hatched, which is extremely questionable; that had each egg hatched, there would have been a loss of only 10 percent in the number of fowls raised to a marketable growth, which is also questionable; and that each fowl placed on the market would have brought an average of \$6, which is a further speculation.

I do not feel that I would be justified in approving a bill based upon such speculative conclusions.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, June 25, 1938.

H. R. 8799. I have withheld my approval of H. R. 8799, an enrolled enactment entitled "An act for the relief of William B. Blaufuss."

This bill authorizes me to summon First Lt. William B. Blaufuss, United States Army, retired, before a retiring board to inquire whether at the time of his retirement he was incapacitated for active service and whether such incapacity was a result of an incident of service and to further determine if he is incapacitated for active service at the present time and if not this measure provides that he be reinstated on the active list of the Army.

Aside from the undesirability of legislation seeking to nullify the considered action of legally constituted agencies of the Government, there are further considerations which influence me in withholding approval of this measure.

Lieutenant Blaufuss, Air Corps, was retired July 31, 1934, after having been found permanently incapacitated for active service by an Army retiring board because of epilepsy, grand mal, idiopathic. Although Lieutenant Blaufuss now feels that he is entirely recovered from this ailment, it is the opinion of the War Department that since this malady is the outward manifestation of a nervous disorder, active service as an Air Corps officer might cause a recurrence. This matter was fully considered by the Army retiring board at the time Lieutenant Blaufuss was retired.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, June 29, 1938.

H. R. 8922. I have withheld my approval of H. R. 8922, "An act for the relief of E. E. Johnson."

This claim grows out of a contract for the sale of certain timber which was the property of Indians on the Grand Portage Indian Reservation in Minnesota. The timber was not cut as rapidly as was originally contemplated, and the contract was extended from time to time until June 1, 1936, when it expired. Prior to that date certain payments amounting to \$3,739.39 were made in advance and the funds distributed to the Indians who were entitled to receive them.

The Indians are reported to be without funds from which to make restitution of these advance payments, and it is therefore proposed to appropriate for the benefit of the claimant, and from the general fund of the Treasury, a sum equal to the amount of such payments. I am unable to find any justification for such an appropriation of Treasury funds.

If it is considered appropriate that relief should be afforded the claimant in this case, such relief should be provided from funds realizable from the timber or other assets of these Indians.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, June 25, 1938.

H. R. 9448. I am withholding my approval of H. R. 9448, entitled "An act for the relief of Charles G. Bostwick."

The purpose of this bill is to authorize and direct the Administrator of Veterans' Affairs to furnish to Charles G. Bostwick hospital treatment or domiciliary care (medical services in connection therewith) in a Veterans' Administration hospital or home.

The records show Carlos G. Bostwick enlisted February 28, 1871, at Milwaukee, Wis., giving his age as 21 years, and was assigned to Company I, Second United States Infantry, to serve 5 years. On July 27, 1871, J. H. Bostwick, father of the soldier, made application for his discharge, stating that he was a minor, 18 years of age on April 17, 1870, and that he had enlisted without the knowledge or consent of his parents. The soldier also made application for his discharge on account of minority, and on the personal solicitation of Hon. William M. Stoughton, Representative in Congress, the Secretary of War ordered his discharge. He was accordingly discharged from the service March 16, 1872, at Chattanooga, Tenn., per S. O. 31, A. G. O., series 1872, on account of minority. In accordance with the long-established practice of the War Department in cases of soldiers who were discharged at that time on account of fraudulent enlistment, it is held that his discharge was not honorable. He was sentenced by a garrison court martial February 25, 1872, to forfeit to the United States \$1 of his pay for 1 month. Nothing has been found of record to show that this soldier served in the zone of or in connection with active Indian hostilities.

It appears that the veteran never filed claim for pension benefits for the reason that he had no title under existing law. However, on May 28, 1928, Private, No. 210, an omnibus pension bill, was enacted which granted Mr. Bostwick a pension at the rate of \$12 per month. This act entitled the veteran to a pension only and did not authorize the extension of hospitalization or domiciliary care. The veteran is not eligible to receive hospitalization or domiciliary care under existing law. Inasmuch as the veteran is already enjoying pension benefits which transcend the laws granting such benefits generally, it is not believed equitable to extend further benefits administered by the Veterans' Administration to this claimant. There is no greater merit in this case than in other similar cases where hospital treatment or domiciliary care must be denied because the requirements of the law have not been met.

For these reasons, I am withholding my approval of the bill.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, June 30, 1938.

H. R. 10051. I have withheld approval of H. R. 10051, entitled "An act to provide travel allowance to railway mail clerks assigned to road duty."

This bill would provide that the Postmaster General shall make travel allowance to railway postal clerks after beginning duty at the initial terminal of run, unless returning to their initial terminal within 8 hours, under such regulations as he may prescribe, and in no case shall such an allowance exceed \$3 per day. In other words, railway postal clerks would be allowed travel allowances for the entire period commencing with the beginning of duty at the initial terminal of run and ending at the time of return to their initial terminal in all cases where such period exceeds 8

hours. Under existing law, the first period up to 10 hours from beginning of duty is not included under any circumstances in computing the time for which travel allowances may be paid, and for periods of over 10 hours only the time in excess of 10 hours is considered for purposes of computing such allowances. The beginning of the initial run has always been construed to mean the time at which the clerk reports for duty which, as a rule, is from 30 minutes to 4 hours in advance of the actual departure of the train.

Out of approximately 13,161 road clerks, 12,360 are now drawing travel allowance, in numerous instances, in excess of \$400 per annum per clerk. The approximate cost for travel allowance for road clerks for the fiscal year 1938 will be \$2,980,000, not including about \$130,000 for substitutes. Railway postal clerks are included under and receive the benefits granted by the 40-hour week law for postal employees, and those assigned to road duty automatically advance to salaries of \$2,450 and \$2,600, depending upon the classification of the run to which assigned. These salaries are already well above the average of other postal employees. The increase of the present travel allowance of railway mail clerks, as proposed in this bill, which would subject the Post Office Department to an additional annual charge of more than \$1,000,000, is considered as not justified.

For the reasons set forth above, I am convinced that H. R. 10051 should not become law, and approval is accordingly withheld.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, June 29, 1938.

H. R. 10076. I have withheld my approval of H. R. 10076, entitled "An act to create the White County Bridge Commission; defining the authority, power, and duties of said commission; and authorizing said commission and its successors and assigns to purchase, maintain, and operate a bridge across the Wabash River at or near New Harmony, Ind."

I cannot give my approval to this bill because of the inclusion therein of the following provision:

The bridge acquired under the authority of this act shall be deemed to be an instrumentality for interstate commerce, the Postal Service, and military and other purposes authorized by the Government of the United States, and said bridge and ferry or ferries and the bonds issued in connection therewith and the income derived therefrom shall be exempt from all Federal, State, municipal, and local taxation.

Under date of June 30, 1936, I withheld my approval of S. 3107, Seventy-fourth Congress, a bill to exempt publicly owned interstate highway bridges from State, municipal, and local taxation, for reasons stated in my press release of that date, as follows:

The effect of this bill would be that, by declaring publicly owned interstate highway bridges to be Federal instrumentalities, such bridges would thereby be exempt from all State and local taxation. I cannot give my approval to this bill, first, because I can find no compelling reason for making publicly owned interstate highway bridges Federal instrumentalities, and, secondly, because relieving such bridges of all State and local taxation would, in the majority of cases, result in loss of revenue by States and their political subdivisions, necessitating material curtailment of necessary activities, or the imposition of increased tax burdens upon other taxpayers to make up the deficit.

For the same reasons, and the added reason that the present bill, H. R. 10076, would exempt Federal taxation in addition to State, municipal, and local taxation, I cannot give the bill my approval.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, June 20, 1938.

H. R. 10261. I have withheld my approval of H. R. 10261, entitled "An act creating the Arkansas-Mississippi Bridge Commission; defining the authority, power, and duties of said commission; and authorizing said commission and its successors and assigns to construct, maintain, and operate a bridge across the Mississippi River at or near Friar Point, Miss., and Helena, Ark.; and for other purposes."

I cannot give my approval to this bill because of the inclusion therein of the following provision:

The bridge constructed under the authority of this act shall be deemed to be a Federal instrumentality for interstate commerce,

the Postal Service, and military and other purposes authorized by the Government of the United States, and said bridge and the bonds issued in connection therewith and the income derived therefrom shall be exempt from all Federal, State, municipal, and local taxation.

Under date of June 30, 1936, I withheld my approval of S. 3107, Seventy-fourth Congress, a bill to exempt publicly owned interstate highway bridges from State, municipal, and local taxation, for reasons stated in my press release of that date, as follows:

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For the same reasons, and the added reason that the present bill, H. R. 10261, would exempt Federal taxation in addition to State, municipal, and local taxation, I cannot give the bill my approval.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, June 20, 1938.

H. R. 10650. I have withheld approval of the bill (H. R. 10650) entitled "An act to provide for a 5-year building program for the United States Bureau of Fisheries," which bill would authorize appropriation of \$3,260,000 over a 5-year period beginning with July 1, 1939.

It is estimated that the cost of operating the completed facilities authorized in the bill would be \$514,820 per annum.

The various States now maintain 388 fish-cultural stations, and the United States Bureau of Fisheries operates 100 such stations and substations while 4 now under construction will be completed and 4 more begun, with funds appropriated for 1939.

In view of the large existing program of the Bureau of Fisheries, and in view of recent approval of an allotment of \$1,055,350 from the recently enacted Public Works Administration Act of 1938 for improving and extending existing fish-cultural facilities of the Bureau, I think that further authorizations should wait for a while.

I feel, therefore, that the expenditures contemplated by this bill are not justified.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, June 24, 1938.

H. R. 10842. I have withheld my approval of H. R. 10842, entitled "An act creating the Cassville-Guttenberg Bridge Commission and authorizing said commission and its successors to construct, maintain, and operate a bridge or bridges across the Mississippi River at or near Cassville, Wis., and Guttenberg, Iowa."

I cannot give my approval to this bill because of the inclusion therein of the following provision:

The bridge or bridges constructed under the authority of the act shall be deemed to be Federal instrumentalities * * * and said bridge or bridges and the bonds issued in connection therewith and the income derived therefrom shall be exempt from all Federal, State, municipal, and local taxation.

Under date of June 30, 1936, I withheld my approval of S. 3107, Seventy-fourth Congress, a bill to exempt publicly owned interstate highway bridges from State, municipal, and local taxation, for reasons stated in my press release of that date, as follows:

The effect of this bill would be that, by declaring publicly owned interstate highway bridges to be Federal instrumentalities, such bridges would thereby be exempt from all State, and local taxation. I cannot give my approval to this bill, first, because I can find no compelling reason for making publicly owned interstate highway bridges Federal instrumentalities, and secondly, because relieving such bridges of all State and local taxation would, in the majority of cases, result in loss of revenues by States and their political subdivisions, necessitating material curtailment of

necessary activities, or the imposition of increased tax burdens upon other taxpayers to make up the deficit.

For the same reasons, and the added reason that the present bill, H. R. 10842, would exempt Federal taxation in addition to State, municipal, and local taxation, I cannot give the bill my approval.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, June 28, 1938.

H. R. 10935. I have withheld approval of H. R. 10935, Seventy-fifth Congress, authorizing the Secretary of War to lend War Department equipment for use at the convention of the American Legion of New York during the month of August 1938.

This measure would make available certain Federal property in as yet undetermined quantity for use by a State department of the American Legion.

The depreciation in value of the property loaned will lead to an equal increase in subsequent Federal appropriations for support of the Military Establishment.

Legislation of this character in behalf of national conventions of recognized organizations of veterans has been enacted and approved from time to time, but such approval cannot be extended wisely to legislation in behalf of sectional and subordinate organizations. These exist in such great number that impartial treatment of all would inevitably lead to demands too numerous to be supplied without serious diversion of military supplies from essential needs and purposes. A precedent in such legislation is therefore to be avoided.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, June 29, 1938.

H. J. Res. 663. I have withheld my approval of H. J. Res. 663, entitled "Joint resolution to provide for the operation of the Peru and Indianapolis railway post office by motor vehicle over the public highways."

The resolution would authorize the Postmaster General to contract for the transportation, including facilities for distribution in transit, of mail matter by means of motor vehicle operated over the public highways between Peru and Indianapolis, Ind. It is provided that, for administrative purposes, such service shall be a part of the Railway Mail Service and that compensation to the contracting carrier shall be at rates fixed by the Interstate Commerce Commission in force for the transportation of mail by railroad. No appropriation is provided for the special type of service, nor does the resolution authorize payment out of any current appropriation. With whom the contract shall be made is not specified, nor is the duration thereof.

It is recognized that with the curtailment of train service on many trunk lines and the widespread abandonment of all train service on branch lines, we are approaching the time when consideration must be given to the type of service proposed in the resolution, but it is believed that the authorization should be general and that the Post Office Department should be left free to select the routes on which the experimental service shall be inaugurated. When the Rural Free Delivery Service and the Air Mail Service were established, experimentally, in both instances the places where it was to be tried out was left to the discretion of the Postmaster General. There are only 11 post offices on the proposed route, and 4 of the largest of these are supplied by other railroad lines and supplemental star routes. The volume of the mail which is now being handled on the interurban line between Peru and Indianapolis and which is to be superseded by the proposed route is insufficient to provide an adequate and satisfactory test of the new service. There are throughout the country many routes where conditions for such an experiment are much more favorable and from which the public would receive greater benefit.

Should the proposed service be established it would doubtless be followed by many other requests and petitions for similar service in other parts of the country. It is, therefore, important that the law should prescribe definite procedure for the inauguration of such service. If rates fixed

by the Interstate Commerce Commission for transportation of mail by railroads are to apply, the element of competition would be removed and it would be manifestly impracticable to award contracts by competitive bidding. If there should be two or more bus companies having franchises to operate over the same route, the Post Office Department would be confronted with the problem of deciding which of them should have the contract.

If a service of this kind is to be inaugurated it is believed that the Post Office Department should prepare specifications for the type of vehicle that is to be used, having due regard to the accommodation and security of the mails and ample protection for its employees and that the route should be advertised in the same manner as is done for the Star Route Service, the contract being awarded to the lowest responsible bidder who may furnish sufficient guaranty for the faithful performance of the service.

The measure is also subject to criticism on the ground that while it attempts to assimilate the proposed service to railroad transportation so far as the carrier is concerned, and to the Railway Mail Service so far as the postal personnel is concerned, it does not make the agreement or contract subject to the numerous provisions contained in the act of July 28, 1916 (39 Stat. 419; 39 U. S. C. 523, et seq.). Among the provisions of this general act applying to the carriage of mail by railroads is the one giving the Postmaster General authority with respect to the construction, style, etc., of cars; the provision requiring station space in rooms for handling, transfer, and storing of mail in transit; the provision making a carrier subject to a fine of \$1,000 for refusing to perform service; and the provision authorizing the Postmaster General to assess fines and make deductions. If carriers performing service such as is contemplated by this resolution are to be treated as railroads with respect to compensation, it is my view that they should also be subject to the control and requirements now applicable to the railroads.

For the above reasons and because of objections made by the Post Office Department to the measure, I have withheld approval of this resolution.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, June 30, 1938.

TEMPORARY NATIONAL ECONOMIC COMMITTEE

Pursuant to the provisions of Public Resolution 113, Seventy-fifth Congress, the Chair appoints as members of the temporary National Economic Committee the following Members of the House: Mr. SUMNERS of Texas, Mr. EICHER, Mr. REECE of Tennessee.

COMMITTEE TO INVESTIGATE CAMPAIGN EXPENDITURES

Pursuant to the provisions of House Resolution 291, Seventy-fifth Congress, the Chair appoints as members of the Committee to Investigate Campaign Expenditures the following Members of the House: Mr. LEWIS of Colorado, Mr. DEROUEN, Mr. O'MALLEY, Mr. KRAMER, Mr. O'TOOLE, Mr. HANCOCK of New York, Mr. MICHENER.

CELEBRATION OF THE ONE HUNDRED AND TWENTY-FIFTH ANNIVERSARY OF THE BATTLE OF LAKE ERIE

Pursuant to the provisions of Public Resolution 119, Seventy-fifth Congress, the Chair appoints as members of the commission to prepare and bring about a suitable celebration of the one hundred and twenty-fifth anniversary of the Battle of Lake Erie the following members of the House: Mr. HARTER, Mr. THOM, Mr. MCSWEENEY, Mr. MAPES, and Mr. WHITE of Ohio.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1432. A letter from the Chairman of the Board of the Tennessee Valley Authority, transmitting a report on the investment and the allocation of the investment of the Authority in the Wilson, Norris, and Wheeler projects, pursuant to section 14 of the Tennessee Valley Authority Act of 1933; to the Committee on Military Affairs.

1433. A letter from the Acting Comptroller General of the United States, transmitting a report under section 207

of the Merchant Marine Act, 1936 (49 Stat. 1988); to the Committee on Merchant Marine and Fisheries.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. LORD: A bill (H. R. 10935) to authorize the Secretary of War to lend War Department equipment for use at the convention of the American Legion of New York, during the month of August 1938; to the Committee on Military Affairs.

By Mr. LEWIS of Maryland: A bill (H. R. 10936) to protect the public interest in connection with the practice of law by officials of the United States; to the Committee on the Judiciary.

By Mr. JOHNSON of Oklahoma: A bill (H. R. 10937) to promote farm ownership by amending the Bankhead-Jones Farm Tenant Act to provide for Government-insured loans to farmers; to encourage sale of farms held by absentee owners to farm tenants; and to enable tenant farmers to become owners of farm homes through long-term low-interest-rate loans on farms, and for other purposes; to the Committee on Agriculture.

By Mr. WHITE of Idaho: A bill (H. R. 10938) to authorize the construction of a lock and dam at Umatilla, Oreg., on the Columbia River, and four locks and dams and channel improvement on the Snake River, Oreg., Wash., and Idaho; to the Committee on Rivers and Harbors.

By Mr. DINGELL: A bill (H. R. 10940) authorizing special-delivery messengers to be covered into the classified civil service as substitute clerks and carriers, and for other purposes; to the Committee on the Civil Service.

By Mr. BLAND: Joint resolution (H. J. Res. 723) to amend H. R. 10672, Seventy-fifth Congress, third session, entitled "An act to amend section 4197 of the Revised Statutes, as amended (U. S. C., 1934 ed., title 46, sec. 91), and section 4200 of the Revised Statutes (U. S. C., 1934 ed., title 46, sec. 92), and for other purposes," so as to correct a typographical error; to the Committee on Rules.

By Mr. RANDOLPH: Joint resolution (H. J. Res. 724) proposing that the Secretary of Labor shall investigate the effects of technological changes on the employment of labor; to the Committee on Labor.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. RAMSAY introduced a bill (H. R. 10939) for the relief of Tarring W. Heironimus, Elsworth Croston, Lora B. Mayle, James W. and Alma M. Haddix, Dorsey and Leota Mayle, and C. C. Whitescarver, all of Grafton, W. Va., which was referred to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

5366. By Mr. GAVAGAN: Petition of Hungarian Jews of America, urging utilization of the unused allotted quotas of immigration visas to the United States for religious and persecuted people; to the Committee on the Judiciary.

5367. By Mr. KENNEDY of New York: Petition of American Road Builders' Association, protesting against the further expansion of the Works Progress Administration in competitive construction fields, which is detrimental to the organized construction industry, and urging the liquidation of the Works Progress Administration as far as possible in those fields through the adjustment and extension of normal existing agencies; to the Committee on Ways and Means.

5368. By Mr. SUTPHIN: Petition of Retail Grocers Association of New Jersey, opposing taxes on oleomargarine; to the Committee on Ways and Means.

5369. By the SPEAKER: Petition of American Road Builders' Association, Washington, D. C., urging consideration of their resolution with reference to the Works Progress Administration; to the Committee on Appropriations.